

**1995**

# ***Illinois Register***

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## **Rules of Governmental Agencies**

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## DEPARTMENT OF AGRICULTURE

## NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Agrichemical Facilities2) Code Citation: 8 Ill. Adm. Code 2553) Section Numbers: Proposed Action:

255.10	Amended
255.50	Amended
255.60	Amended
255.110	Amended
255.170	Amended

4) Statutory Authority: Illinois Pesticide Act (415 ILCS 60) and the Illinois Fertilizer Act of 1961 (505 ILCS 80).5) A. Complete Description of the Subjects and Issues Involved: References to the Illinois Compiled Statutes are being added.

In Section 255.60, Experimental Permits are currently issued for two year periods and are for containment processes or techniques that do not satisfy the requirements of this Part. The proposed change would allow an experimental permit to be issued for periods up to five years after the containment processes or techniques have been in place for at least four years. This allows for the retention of the "experimental" designation but adjusts the permit period to be consistent with all other permits after the experimental design has shown success for four years.

6) Will this proposed rule replace an emergency rule in effect? No7) Does this rulemaking contain an automatic repeal date? No8) Does this proposed rule amendment contain incorporations by reference?  
Yes9) Are there any other proposed amendments pending on this Part? No10) Statement of Statewide Policy Objectives: Rule does not affect units of local governments.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: A public hearing on the proposed amendments will be held on Friday, February 10, 1995 at 10:00 a.m., Department of Agriculture, State Fairgrounds, Springfield, Illinois. Persons unable to attend the hearing may present their comments on the proposed rulemaking in writing to the Director, Department of Agriculture, P. O. Box 19281, State Fairgrounds, Springfield, Illinois 62794-9281. Mailed comments must be postmarked no later than February 6, 1995 so they will be available for consideration at the public hearing. All comments received will be full

## DEPARTMENT OF AGRICULTURE

## NOTICE OF PROPOSED AMENDMENTS

considered by the agency.

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not-for-profit corporations affected: agrichemical facilities
- B) Reporting, bookkeeping or other procedures required for compliance: The proposed change would reduce the paperwork requirements associated with the permit renewal process for both industry and the Department in that permits would be required to be renewed less often.

- C) Types of professional skills necessary for compliance: No additional skills are required for compliance with the proposed amendment.

The full text of the Proposed Rules begins on the next page:



## DEPARTMENT OF AGRICULTURE

## NOTICE OF PROPOSED AMENDMENTS

TITLE 8: AGRICULTURE AND ANIMALS  
CHAPTER 1: DEPARTMENT OF AGRICULTURE  
SUBCHAPTER 1: PESTICIDE CONTROL

## PART 255

## AGRICHEMICAL FACILITIES

Section	Definitions
255.10	Incorporation by Reference
255.20	Scope and Application
255.30	Registration
255.40	Permits and Compliance Schedules
255.50	Experimental Permits
255.60	Agrichemical Facility Plans, Specifications and Records
255.70	Secondary Containment
255.80	Operational Area Containment
255.90	Storage Containers and Appurtenances
255.100	Containment Management and Operations
255.110	Site Closures and Discontinuation of Operations
255.120	Inspection and Maintenance
255.130	Dry Fertilizer Storage and Handling
255.140	Dry Fertilizer Blending Operations
255.150	Connections to the Potable Water Supply
255.160	Open Burning
255.170	

AUTHORITY: Implementing and authorized by the Illinois Pesticide Act (1987-Stat--1987-CH--57-PAR--001-ET-SEQ--AND-111-REV--STAT--1987-CH--57-PAR--55-1-ET-SEQ--AND-111-REV--STAT--1980-SUPP--CH--57-PAR--004-011-1-AND--019) [415 ILCS 60] and the Illinois Fertilizer Act of 1961 (1961-Rev--Stat--1987-CH--57-PAR--55-1-ET-SEQ--AND-111-REV--STAT--1988-SUPP--CH--57-PAR--55-10A-1) [505 ILCS 80].

SOURCE: Adopted at 13 Ill. Reg. 13532, effective January 1, 1990; emergency amendment at 15 Ill. Reg. 128, effective December 24, 1990, for a maximum of 150 days, emergency amendment expired on May 23, 1991; amended at 19 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 255.10 Definitions

Definitions for this Part can be located in Section 3 of the Illinois Fertilizer Act of 1961 (1961-Rev--Stat--1987-CH--57-PAR--55-3) [505 ILCS 90/3] and Section 4 of the Illinois Pesticide Act (1987-Stat--1987-CH--57-PAR--004) [415 ILCS 60/4]. The following definitions shall also apply to this Part:

"Agrichemicals" means pesticides or commercial fertilizers, at an agrichemical facility, but does not include anhydrous ammonia fertilizer material.

## DEPARTMENT OF AGRICULTURE

## NOTICE OF PROPOSED AMENDMENTS

"Agrichemical facility" means a site used for commercial purposes, where bulk pesticides are stored in a single container in excess of 300 gallons of liquid pesticide or 300 pounds of dry pesticide for more than 30 days per year or where more than 300 gallons of liquid pesticide or 300 pounds of dry pesticide are being mixed, repackaged or transferred from one container to another within a 30-day period or a site where bulk fertilizers are stored, mixed, repackaged or transferred from one container to another.

"Alterations" means permanent changes in activities or processes at an agrichemical facility or changes in stored and handled product mix which do not modify the efficiency of containment structures or systems.

"Commercial" means buying and selling agrichemicals and agrichemical services for compensation.

"Groundwater" means groundwater as defined in the Illinois Groundwater Protection Act (1987-Rev--Stat--1987-CH--111-1727-PAR--7459) [415 ILCS 55/3].

"Load or loading" means the transfer of formulated pesticide at agrichemical facilities from facility storage to application equipment resulting in use dilutions or the transfer of bulk pesticides to field nursing transportation equipment or the transfer of liquid fertilizer or dry fertilizer at facilities from facility storage to application equipment and field nursing transportation equipment.

"Mini-bulk container" means a portable container which is designed for transportation and has a capacity of not less than 100 gallons nor more than 660 gallons.

"Modification" means changes in structures, processes or activities at an agrichemical facility which alter the efficiency of containment structures or systems, i.e., changes in capacity.

"New" means an agrichemical facility or non-commercial agrichemical facility not in existence at the time of adoption of this Part or which undergoes modification where the fixed capital cost of construction exceeds 50% of the fixed capital cost of a comparable entirely new facility and such modification occurs within a two-year period.

"Non-commercial agrichemical facility" means a site, including the land and structures and equipment fixed thereon, designed and used for each of the following activities:  
storing pesticides or fertilizer for more than 45 consecutive days in a single container holder in excess of:

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300 gallons bulk liquid pesticides; or  
 300 pounds bulk dry pesticides; or  
 5000 gallons bulk liquid commercial fertilizer; or  
 50,000 pounds bulk dry commercial fertilizer.  
 loading and mixing, including bulk repackaging, of pesticides or  
 fertilizer at a permanent site for more than a 45 day period in  
 quantities in excess of:  
 300 gallons bulk liquid pesticides; or  
 300 pounds bulk dry pesticides; or  
 5000 gallons bulk liquid commercial fertilizer; or  
 50,000 pounds bulk dry commercial fertilizer.  
 the non-commercial application of pesticides or fertilizer.

"Non-Mobile" means not readily capable of moving or being moved from place to place.

"Operational activity" means loading, unloading, and mixing of agricultural chemicals and/or the cleaning of transportation or application equipment at agricultural facilities.

"Operational area" means an area or areas at the agricultural facility where agricultural chemicals are loaded, unloaded, mixed, repackaged, or where agricultural chemicals are cleaned and washed from application, storage or transportation equipment.

"Operational area containment structure or system" means any structure or system used to intercept, prevent run-off or leaching, and contain spills and residues containing agricultural chemicals from operational activities such as loading, unloading, mixing, and equipment washing and rinsing.

"Reportable Agricultural Spill" means an uncontrolled release outside an operational area containment or secondary containment structure involving more than 25 gallons of unrecovered liquid fertilizer or 100 pounds of unrecovered dry fertilizer or 5 pounds of unrecovered liquid or unrecovered dry active ingredient equivalent of pesticides except for reportable substances it means when the amount spilled equals or exceeds the RQ for those chemical substances.

Reportable quantity" or "(RQ)" means a quantity that equals or exceeds the reportable quantity for substances listed in the Appendix to 49 CFR 172.101 (1988) or in Appendix A of 40 CFR 355 (1988).

"Reportable substance" means any substance listed in the Appendix to 49 CFR 172.101 (1988) or in Appendix A of 40 CFR 355 (1988).

"Secondary containment structure" means any structure or basin used to contain agricultural spills and prevent runoff or leaching from bulk

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agricultural containers.

"Unload or unloading" means the transfer at agricultural facilities of formulated pesticide in an unaltered state from the transport vehicle into facility storage or the transfer of bulk commercial fertilizer in an unaltered state from the transport vehicle into facility storage.

(Source: Amended at 19 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 255.50 Permits and Compliance Schedule

- a) An Agricultural Facility Permit ("Permit") issued by the Department shall be obtained for each existing and new agricultural facility. Permit applications shall be submitted on forms provided by the Department. The application shall be accompanied by engineering plans and specifications for any construction or modification to be accomplished pursuant to the Permit. Such plans and specifications shall be prepared by an Illinois Professional Engineer when required by the provisions of the Illinois Professional Engineering Practice Act (1977-Rev.-Stat.-1987-ch-117-par-5.01-5.04-5.05-5.06-5.07-5.08-5.09-5.10-5.11-5.12-5.13-5.14-5.15-5.16-5.17-5.18-5.19-5.20-5.21-5.22-5.23-5.24-5.25-5.26-5.27-5.28-5.29-5.30-5.31-5.32-5.33-5.34-5.35-5.36-5.37-5.38-5.39-5.40-5.41-5.42-5.43-5.44-5.45-5.46-5.47-5.48-5.49-5.50-5.51-5.52-5.53-5.54-5.55-5.56-5.57-5.58-5.59-5.60-5.61-5.62-5.63-5.64-5.65-5.66-5.67-5.68-5.69-5.70-5.71-5.72-5.73-5.74-5.75-5.76-5.77-5.78-5.79-5.80-5.81-5.82-5.83-5.84-5.85-5.86-5.87-5.88-5.89-5.90-5.91-5.92-5.93-5.94-5.95-5.96-5.97-5.98-5.99-6.00-6.01-6.02-6.03-6.04-6.05-6.06-6.07-6.08-6.09-6.10-6.11-6.12-6.13-6.14-6.15-6.16-6.17-6.18-6.19-6.20-6.21-6.22-6.23-6.24-6.25-6.26-6.27-6.28-6.29-6.30-6.31-6.32-6.33-6.34-6.35-6.36-6.37-6.38-6.39-6.40-6.41-6.42-6.43-6.44-6.45-6.46-6.47-6.48-6.49-6.50-6.51-6.52-6.53-6.54-6.55-6.56-6.57-6.58-6.59-6.60-6.61-6.62-6.63-6.64-6.65-6.66-6.67-6.68-6.69-6.70-6.71-6.72-6.73-6.74-6.75-6.76-6.77-6.78-6.79-6.80-6.81-6.82-6.83-6.84-6.85-6.86-6.87-6.88-6.89-6.90-6.91-6.92-6.93-6.94-6.95-6.96-6.97-6.98-6.99-7.00-7.01-7.02-7.03-7.04-7.05-7.06-7.07-7.08-7.09-7.10-7.11-7.12-7.13-7.14-7.15-7.16-7.17-7.18-7.19-7.20-7.21-7.22-7.23-7.24-7.25-7.26-7.27-7.28-7.29-7.30-7.31-7.32-7.33-7.34-7.35-7.36-7.37-7.38-7.39-7.40-7.41-7.42-7.43-7.44-7.45-7.46-7.47-7.48-7.49-7.50-7.51-7.52-7.53-7.54-7.55-7.56-7.57-7.58-7.59-7.60-7.61-7.62-7.63-7.64-7.65-7.66-7.67-7.68-7.69-7.70-7.71-7.72-7.73-7.74-7.75-7.76-7.77-7.78-7.79-7.80-7.81-7.82-7.83-7.84-7.85-7.86-7.87-7.88-7.89-7.90-7.91-7.92-7.93-7.94-7.95-7.96-7.97-7.98-7.99-8.00-8.01-8.02-8.03-8.04-8.05-8.06-8.07-8.08-8.09-8.10-8.11-8.12-8.13-8.14-8.15-8.16-8.17-8.18-8.19-8.20-8.21-8.22-8.23-8.24-8.25-8.26-8.27-8.28-8.29-8.30-8.31-8.32-8.33-8.34-8.35-8.36-8.37-8.38-8.39-8.40-8.41-8.42-8.43-8.44-8.45-8.46-8.47-8.48-8.49-8.50-8.51-8.52-8.53-8.54-8.55-8.56-8.57-8.58-8.59-8.60-8.61-8.62-8.63-8.64-8.65-8.66-8.67-8.68-8.69-8.70-8.71-8.72-8.73-8.74-8.75-8.76-8.77-8.78-8.79-8.80-8.81-8.82-8.83-8.84-8.85-8.86-8.87-8.88-8.89-8.90-8.91-8.92-8.93-8.94-8.95-8.96-8.97-8.98-8.99-9.00-9.01-9.02-9.03-9.04-9.05-9.06-9.07-9.08-9.09-9.10-9.11-9.12-9.13-9.14-9.15-9.16-9.17-9.18-9.19-9.20-9.21-9.22-9.23-9.24-9.25-9.26-9.27-9.28-9.29-9.30-9.31-9.32-9.33-9.34-9.35-9.36-9.37-9.38-9.39-9.40-9.41-9.42-9.43-9.44-9.45-9.46-9.47-9.48-9.49-9.50-9.51-9.52-9.53-9.54-9.55-9.56-9.57-9.58-9.59-9.60-9.61-9.62-9.63-9.64-9.65-9.66-9.67-9.68-9.69-9.70-9.71-9.72-9.73-9.74-9.75-9.76-9.77-9.78-9.79-9.80-9.81-9.82-9.83-9.84-9.85-9.86-9.87-9.88-9.89-9.90-9.91-9.92-9.93-9.94-9.95-9.96-9.97-9.98-9.99-10.00-10.01-10.02-10.03-10.04-10.05-10.06-10.07-10.08-10.09-10.10-10.11-10.12-10.13-10.14-10.15-10.16-10.17-10.18-10.19-10.20-10.21-10.22-10.23-10.24-10.25-10.26-10.27-10.28-10.29-10.30-10.31-10.32-10.33-10.34-10.35-10.36-10.37-10.38-10.39-10.40-10.41-10.42-10.43-10.44-10.45-10.46-10.47-10.48-10.49-10.50-10.51-10.52-10.53-10.54-10.55-10.56-10.57-10.58-10.59-10.60-10.61-10.62-10.63-10.64-10.65-10.66-10.67-10.68-10.69-10.70-10.71-10.72-10.73-10.74-10.75-10.76-10.77-10.78-10.79-10.80-10.81-10.82-10.83-10.84-10.85-10.86-10.87-10.88-10.89-10.90-10.91-10.92-10.93-10.94-10.95-10.96-10.97-10.98-10.99-11.00-11.01-11.02-11.03-11.04-11.05-11.06-11.07-11.08-11.09-11.10-11.11-11.12-11.13-11.14-11.15-11.16-11.17-11.18-11.19-11.20-11.21-11.22-11.23-11.24-11.25-11.26-11.27-11.28-11.29-11.30-11.31-11.32-11.33-11.34-11.35-11.36-11.37-11.38-11.39-11.40-11.41-11.42-11.43-11.44-11.45-11.46-11.47-11.48-11.49-11.50-11.51-11.52-11.53-11.54-11.55-11.56-11.57-11.58-11.59-11.60-11.61-11.62-11.63-11.64-11.65-11.66-11.67-11.68-11.69-11.70-11.71-11.72-11.73-11.74-11.75-11.76-11.77-11.78-11.79-11.80-11.81-11.82-11.83-11.84-11.85-11.86-11.87-11.88-11.89-11.90-11.91-11.92-11.93-11.94-11.95-11.96-11.97-11.98-11.99-12.00-12.01-12.02-12.03-12.04-12.05-12.06-12.07-12.08-12.09-12.10-12.11-12.12-12.13-12.14-12.15-12.16-12.17-12.18-12.19-12.20-12.21-12.22-12.23-12.24-12.25-12.26-12.27-12.28-12.29-12.30-12.31-12.32-12.33-12.34-12.35-12.36-12.37-12.38-12.39-12.40-12.41-12.42-12.43-12.44-12.45-12.46-12.47-12.48-12.49-12.50-12.51-12.52-12.53-12.54-12.55-12.56-12.57-12.58-12.59-12.60-12.61-12.62-12.63-12.64-12.65-12.66-12.67-12.68-12.69-12.70-12.71-12.72-12.73-12.74-12.75-12.76-12.77-12.78-12.79-12.80-12.81-12.82-12.83-12.84-12.85-12.86-12.87-12.88-12.89-12.90-12.91-12.92-12.93-12.94-12.95-12.96-12.97-12.98-12.99-13.00-13.01-13.02-13.03-13.04-13.05-13.06-13.07-13.08-13.09-13.10-13.11-13.12-13.13-13.14-13.15-13.16-13.17-13.18-13.19-13.20-13.21-13.22-13.23-13.24-13.25-13.26-13.27-13.28-13.29-13.30-13.31-13.32-13.33-13.34-13.35-13.36-13.37-13.38-13.39-13.40-13.41-13.42-13.43-13.44-13.45-13.46-13.47-13.48-13.49-13.50-13.51-13.52-13.53-13.54-13.55-13.56-13.57-13.58-13.59-13.60-13.61-13.62-13.63-13.64-13.65-13.66-13.67-13.68-13.69-13.70-13.71-13.72-13.73-13.74-13.75-13.76-13.77-13.78-13.79-13.80-13.81-13.82-13.83-13.84-13.85-13.86-13.87-13.88-13.89-13.90-13.91-13.92-13.93-13.94-13.95-13.96-13.97-13.98-13.99-14.00-14.01-14.02-14.03-14.04-14.05-14.06-14.07-14.08-14.09-14.10-14.11-14.12-14.13-14.14-14.15-14.16-14.17-14.18-14.19-14.20-14.21-14.22-14.23-14.24-14.25-14.26-14.27-14.28-14.29-14.30-14.31-14.32-14.33-14.34-14.35-14.36-14.37-14.38-14.39-14.40-14.41-14.42-14.43-14.44-14.45-14.46-14.47-14.48-14.49-14.50-14.51-14.52-14.53-14.54-14.55-14.56-14.57-14.58-14.59-14.60-14.61-14.62-14.63-14.64-14.65-14.66-14.67-14.68-14.69-14.70-14.71-14.72-14.73-14.74-14.75-14.76-14.77-14.78-14.79-14.80-14.81-14.82-14.83-14.84-14.85-14.86-14.87-14.88-14.89-14.90-14.91-14.92-14.93-14.94-14.95-14.96-14.97-14.98-14.99-15.00-15.01-15.02-15.03-15.04-15.05-15.06-15.07-15.08-15.09-15.10-15.11-15.12-15.13-15.14-15.15-15.16-15.17-15.18-15.19-15.20-15.21-15.22-15.23-15.24-15.25-15.26-15.27-15.28-15.29-15.30-15.31-15.32-15.33-15.34-15.35-15.36-15.37-15.38-15.39-15.40-15.41-15.42-15.43-15.44-15.45-15.46-15.47-15.48-15.49-15.50-15.51-15.52-15.53-15.54-15.55-15.56-15.57-15.58-15.59-15.60-15.61-15.62-15.63-15.64-15.65-15.66-15.67-15.68-15.69-15.70-15.71-15.72-15.73-15.74-15.75-15.76-15.77-15.78-15.79-15.80-15.81-15.82-15.83-15.84-15.85-15.86-15.87-15.88-15.89-15.90-15.91-15.92-15.93-15.94-15.95-15.96-15.97-15.98-15.99-16.00-16.01-16.02-16.03-16.04-16.05-16.06-16.07-16.08-16.09-16.10-16.11-16.12-16.13-16.14-16.15-16.16-16.17-16.18-16.19-16.20-16.21-16.22-16.23-16.24-16.25-16.26-16.27-16.28-16.29-16.30-16.31-16.32-16.33-16.34-16.35-16.36-16.37-16.38-16.39-16.40-16.41-16.42-16.43-16.44-16.45-16.46-16.47-16.48-16.49-16.50-16.51-16.52-16.53-16.54-16.55-16.56-16.57-16.58-16.59-16.60-16.61-16.62-16.63-16.64-16.65-16.66-16.67-16.68-16.69-16.70-16.71-16.72-16.73-16.74-16.75-16.76-16.77-16.78-16.79-16.80-16.81-16.82-16.83-16.84-16.85-16.86-16.87-16.88-16.89-16.90-16.91-16.92-16.93-16.94-16.95-16.96-16.97-16.98-16.99-17.00-17.01-17.02-17.03-17.04-17.05-17.06-17.07-17.08-17.09-17.10-17.11-17.12-17.13-17.14-17.15-17.16-17.17-17.18-17.19-17.20-17.21-17.22-17.23-17.24-17.25-17.26-17.27-17.28-17.29-17.30-17.31-17.32-17.33-17.34-17.35-17.36-17.37-17.38-17.39-17.40-17.41-17.42-17.43-17.44-17.45-17.46-17.47-17.48-17.49-17.50-17.51-17.52-17.53-17.54-17.55-17.56-17.57-17.58-17.59-17.60-17.61-17.62-17.63-17.64-17.65-17.66-17.67-17.68-17.69-17.70-17.71-17.72-17.73-17.74-17.75-17.76-17.77-17.78-17.79-17.80-17.81-17.82-17.83-17.84-17.85-17.86-17.87-17.88-17.89-17.90-17.91-17.92-17.93-17.94-17.95-17.96-17.97-17.98-17.99-18.00-18.01-18.02-18.03-18.04-18.05-18.06-18.07-18.08-18.09-18.10-18.11-18.12-18.13-18.14-18.15-18.16-18.17-18.18-18.19-18.20-18.21-18.22-18.23-18.24-18.25-18.26-18.27-18.28-18.29-18.30-18.31-18.32-18.33-18.34-18.35-18.36-18.37-18.38-18.39-18.40-18.41-18.42-18.43-18.44-18.45-18.46-18.47-18.48-18.49-18.50-18.51-18.52-18.53-18.54-18.55-18.56-18.57-18.58-18.59-18.60-18.61-18.62-18.63-18.64-18.65-18.66-18.67-18.68-18.69-18.70-18.71-18.72-18.73-18.74-18.75-18.76-18.77-18.78-18.79-18.80-18.81-18.82-18.83-18.84-18.85-18.86-18.87-18.88-18.89-18.90-18.91-18.92-18.93-18.94-18.95-18.96-18.97-18.98-18.99-19.00-19.01-19.02-19.03-19.04-19.05-19.06-19.07-19.08-19.09-19.10-19.11-19.12-19.13-19.14-19.15-19.16-19.17-19.18-19.19-19.20-19.21-19.22-19.23-19.24-19.25-19.26-19.27-19.28-19.29-19.30-19.31-19.32-19.33-19.34-19.35-19.36-19.37-19.38-19.39-19.40-19.41-19.42-19.43-19.44-19.45-19.46-19.47-19.48-19.49-19.50-19.51-19.52-19.53-19.54-19.55-19.56-19.57-19.58-19.59-19.60-19.61-19.62-19.63-19.64-19.65-19.66-19.67-19.68-19.69-19.70-19.71-19.72-19.73-19.74-19.75-19.76-19.77-19.78-19.79-19.80-19.81-19.82-19.83-19.84-19.85-19.86-19.87-19.88-19.89-19.90-19.91-19.92-19.93-19.94-19.95-19.96-19.97-19.98-19.99-20.00-20.01-20.02-20.03-20.04-20.05-20.06-20.07-20.08-20.09-20.10-20.11-20.12-20.13-20.14-20.15-20.16-20.17-20.18-20.19-20.20-20.21-20.22-20.23-20.24-20.25-20.26-20.27-20.28-20.29-20.30-20.31-20.32-20.33-20.34-20.35-20.36-20.37-20.38-20.39-20.40-20.41-20.42-20.43-20.44-20.45-20.46-20.47-20.48-20.49-20.50-20.51-20.52-20.53-20.54-20.55-20.56-20.57-20.58-20.59-20.60-20.61-20.62-20.63-20.64-20.65-20.66-20.67-20.68-20.69-20.70-20.71-20.72-20.73-20.74-20.75-20.76-20.77-20.78-20.79-20.80-20.81-20.82-20.83-20.84-20.85-20.86-20.87-20.88-20.89-20.90-20.91-20.92-20.93-20.94-20.95-20.96-20.97-20.98-20.99-21.00-21.01-21.02-21.03-21.04-21.05-21.06-21.07-21.08-21.09-21.10-21.11-21.12-21.13-21.14-21.15-21.16-21.17-21.18-21.19-21.20-21.21-21.22-21.23-21.24-21.25-21.26-21.27-21.28-21.29-21.30-21.31-21.32-21.33-21.34-21.35-21.36-21.37-21.38-21.39-21.40-21.41-21.42-21.43-21.44-21.45-21.46-21.47-21.48-21.49-21.50-21.51-21.52-21.53-21.54-21.55-21.56-21.57-21.58-21.59-21.60-21.61-21.62-21.63-21.64-21.65-21.66-21.67-21.68-21.69-21.70-21.71-21.72-21.73-21.74-21.75-21.76-21.77-21.78-21.79-21.80-21.81-21.82-21.83-21.84-21.85-21.86-21.87-21.88-21.89-21.90-21.91-21.92-21.93-21.94-21.95-21.96-21.97-21.98-21.99-22.00-22.01-22.02-22.03-22.04-22.05-22.06-22.07-22.08-22.09-22.10-22.11-22.12-22.13-22.14-22.15-22.16-22.17-22.18-22.19-22.20-22.21-22.22-22.23-22.24-22.25-22.26-22.27-22.28-22.29-22.30-22.31-22.32-22.33-22.34-22.35-22.36-22.37-22.38-22.39-22.40-22.41-22.42-22.43-22.44-22.45-22.46-22.47-22.48-22.49-22.50-22.51-22.52-22.53-22.54-22.55-22.56-22.57-22.58-22.59-22.60-22.61-22.62-22.63-22.64-22.65-22.66-22.67-22.68-22.69-22.70-22.71-22.72-22.73-22.74-22.75-22.76-22.77-22.78-22.79-22.80-22.81-22.82-22.83-22.84-22.85-22.86-22.87-22.88-22.89-22.90-22.91-22.92-22.93-22.94-22.95-22.96-22.97-22.98-22.99-23.00-23.01-23.02-23.03-23.04-23.05-23.06-23.07-23.08-23.09-23.10-23.11-23.12-23.13-23.14-23.15-23.16-23.17-23.18-23.19-23.20-23.21-23.22-23.23-23.24-23.25-23.26-23.27-23.28-23.29-23.30-23.31-23.32-23.33-23.34-23.35-23.36-23.37-23.38-23.39-23.40-23.41-23.42-23.43-23.44-23.45-23.46-23.47-23.48-23.49-23.50-23.51-23.52-23.53-23.54-23.55-23.56-23.57-23.58-23.59-23.60-23.61-23.62-23.63-23.64-23.65-23.66-23.67-23.68-23.69-23.70-23.71-23.72-23.73-23.74-23.75-23.76-23.77-23.78-23.79-23.80-23.81-23.82-23.83-23.84-23.8



## DEPARTMENT OF AGRICULTURE

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specifications, process flow diagram for dry fertilizer facilities and any additional information the applicant or Department deem necessary to fully describe the project. The Department shall allow an innovative design to satisfy the structural requirements of this part if the application for a Permit is accompanied by a registered professional engineer's statement certifying that the design shall provide protection to the environment equivalent to that of this Part. All engineering costs shall be the responsibility of the person making the request. A permit issued "with conditions" means that the facility is deficient in some area in order to meet full compliance with the beforestated rules. A permit with conditions would be issued if the operation of the facility during the period of time that the facility owner was correcting the deficiency does not jeopardize the environment. If the Department fails to grant or deny the Permit as requested or issue with conditions within 90 days from the date of receipt of the application, the applicant may deem the Permit granted for a one year period commencing on the 91st day after the application was received. If the application for a Permit is denied, the Department shall notify the applicant in writing as to why the permit was denied.

- d) An agrichemical facility which is registered pursuant to Section 255.40(b)(1) shall meet the following compliance schedule:

Item	Compliance Date
Submittal of all plans and specifications required for Permit approval	Two years after adoption date
Compliance with Section 255.80 (except as provided in subsection (h))	Three years after adoption date for bulk pesticides and four years for liquid fertilizers
Compliance with Section 255.90	Five years after adoption date
e) An agrichemical facility which is registered pursuant to Section 255.40(b)(2) shall meet the following schedule:	
Item	Compliance Date
Submittal of all plans and specifications required for Permit approval	Two years after adoption date
Compliance with Section 255.90	Three years after adoption date
f) An agrichemical facility which is registered pursuant to Section 255.40(b)(3) or which fails to register under Section 255.40 shall	
Compliance with Section 255.80	Four years after adoption date

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meet the following compliance schedule:

Item	Compliance Date
Submittal of all plans and specifications required for Permit approval	One year after adoption date
Compliance with Section 255.90	Two years after adoption date
Compliance with Section 255.80 (except as provided in subsection (h))	Three years after adoption date for bulk pesticides and 4 years for liquid fertilizers
g) An agrichemical facility which is registered pursuant to both Section 255.40(b)(1) and Section 255.40(b)(2) shall meet the following compliance schedule:	
Item	Compliance Date
Submittal of all plans and specifications required for Permit approval	Three years after adoption date
Compliance with Section 255.80 and Section 255.90	Five years after adoption date
h) An agrichemical facility which is registered pursuant to Section 255.40(b)(4) shall be in compliance with Section 255.80 with respect to its liquid fertilizer storage tanks with capacity of 100,000 gallons or more in accordance with the following schedule:	
Item	Compliance Date
Notify Department of intent to take tank out of service or to comply with Section 255.80	Four years after adoption date
Submittal of all plans and specifications required for approval of amended permit	Five years after adoption date
Compliance with Section 255.90	Seven and 1/2 years after adoption date
i) An agrichemical facility which is registered pursuant to Section 255.40(b)(5) shall be in compliance with Section 255.140 within five years of the adoption date.	
j) An agrichemical facility which is registered pursuant to Section 255.40(b)(6) shall be in compliance with Section 255.150 within five years of the adoption date.	



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k) All non-commercial agricultural facilities shall be in compliance with all of this Part within five years of the adoption date.

l) Nothing in this Part shall require the loading of pesticide into anhydrous ammonia nurse tanks to be accomplished within an operational area containment structure, provided that a closed transfer system is used.

(Source: Amended at 19 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 255.60 Experimental Permits

a) To best aid the improvement of agricultural containment technology, the Department shall issue Experimental Permits for containment processes or techniques that do not satisfy the requirements of this Part, provided the applicant provides proof (i.e., quality control, quality assurance, and supportive analytical data) that the process or technique has a reasonably substantial chance for success (i.e., the quality control for the experimental design will indicate if there is any malfunction).

b) A valid Experimental Permit shall constitute a prima facie defense to any action brought against the permit holder for a violation of the Rules of this Part, but only to the extent that such action is based upon the failure of the process or technique.

c) Initially, all Experimental Permits shall have a duration not to exceed two years. Experimental Permits which have been renewed at least once and have thus been in effect for at least 4 years may be renewed for periods of no greater than 5 years.

d) Application for renewal of an Experimental Permit shall be submitted to the Department at least 90 days prior to the expiration of the existing permit. To the extent the information to be supplied for renewal is identical with that contained in the prior permit application, the applicant shall so note on the renewal application, and the Department shall not require the submittal of data and information submitted with the original application.

(Source: Amended at 19 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 255.110 Containment Management and Operations

a) Precipitation and accumulation shall never exceed a level that would impair the holding capacity of the secondary or operational area containment. Such precipitation accumulation should be removed from the secondary and operational area containment systems after each storm.

l) Precipitation accumulation containing agricultural chemicals shall be used as provided in Section 255.110(e) or disposed of as provided in

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Section 255.110(g).

2) Precipitation accumulation from containment structures shall not be discharged from the containment area as surface runoff during the agricultural application season, except when the following conditions are met:

- A) The containment structures have been cleaned and rinsed of agricultural chemicals in compliance with Section 255.110(b) and (c).
- B) The discharge shall not cause water quality violations pursuant to 35 Ill. Adm. Code, Subtitle C, or a pesticide release pursuant to the Environmental Protection Act 411-Rev-Stat-1987-ch-111-172-par-1981-et-seq-7 [415 ILCS

5].

b) Agricultural spills into secondary containment structures shall be recovered promptly and the structures washed to remove agricultural contamination.

c) Operational area containment shall be promptly cleaned and rinsed after any agricultural spill or leakage. The operational area containment shall also be cleaned and rinsed immediately after the termination of each agricultural application season. These facilities shall be washed with a biodegradable cleanser, triple rinsed with a high pressure hose and all standing water shall be removed. Proper cleaning of the operational area containment shall include removal, washing and rinsing of material from the operational area, mud, pits, sump pits and all interconnected pipes or structures.

d) Discharge or spills of agriculturals, agricultural mixtures, rinsates and wash waters outside of secondary or operational area containment shall be immediately contained, material recovered to extent possible, and the area cleaned. Reportable agricultural spills shall be reported immediately by telephone to the Illinois Emergency Services and Disaster Agency any time during the day or night by calling 1-800-782-7860 or 1-217-782-7860.

e) Agriculturals, agricultural residues, rinsates, and agricultural contamination wash water recovered from the secondary and operational containment facilities shall be field applied at agronomic rates, used in a liquid mixing operation, or otherwise recycled or disposed of in accordance with these rules. Any pesticide laden residues, rinsates, and pesticide contaminated wash water that are to be land applied shall be handled in accordance with the product's labels. Field application of diluted pesticide solutions is an acceptable use if the total annual application amounts of the pesticide do not exceed the pesticide label application rates. Rinsates and pesticide contaminated wash water may be used to make up the total spray mixture if the mixture does not exceed the pesticide label application rates. Field washing of exterior surfaces of agricultural application equipment is acceptable at the site of the agricultural application provided no runoff from the site occurs.

g) Agriculturals, agricultural residues, rinsates, and agricultural contaminated wash water shall not be disposed through storm sewers,



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sanitary sewer systems, public or private sewage treatment facilities or wells, waters of the State, nor to land, except as provided in Section 255.110(e) and (f).

- h) Agrichemicals and agrichemical mixtures which cannot be used in accordance with the respective product's label or as set forth in this Section shall be disposed of as a special waste or hazardous waste as authorized by the Environmental Protection Act (411 Rev. Stat. 1987 ch. 111-172--par. 1-1001--et seq.) [415 ILCS 5] and the rules adopted under that Act (35 Ill. Adm. Code 724 and 725 and 809).

- i) Empty pesticide containers shall be stored in the operational containment area or an area protected from contact with precipitation prior to disposal and such containers shall be triple rinsed or comparably cleaned (e.g., rinsed with pressure hose). Such containers shall be disposed of in accordance with the Environmental Protection Act (411 Rev. Stat. 1987 ch. 111-172--par. 1-1001--et seq.) [415 ILCS 5] and the rules adopted under that Act (35 Ill. Adm. Code 724 and 725).

- j) Spray application vehicles that are not cleaned as provided in Section 255.110(f) shall be parked in the operational containment area or protected from precipitation. Agricultural aircraft are not covered by this provision.

- k) Dry fertilizer application equipment with covered hoppers may be field cleaned by brushing the working end of the equipment to remove the fertilizer or cleaned as provided in Section 255.110(f) or protected from precipitation.

(Source: Amended at 19 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 255.170 Open Burning

- a) No person shall cause or allow open burning of agrichemical containers or other agrichemical related wastes at an agrichemical facility or a non-commercial agrichemical facility, except as provided in this Section.

- b) Any burning of agrichemical containers or other agrichemical related wastes at an agrichemical facility or a non-commercial agrichemical facility located 1,000 feet or less from a residential or other populated area shall be performed with an incinerator that is in compliance with the Illinois Environmental Protection Act (411 Rev. Stat. 1987 ch. 111-172--par. 1-1001--et seq.) [415 ILCS 5] and rules adopted under that Act (35 Ill. Adm. Code 201).

- c) The open burning of combustible agrichemical containers is permissible at the field where the chemicals are applied, provided the following conditions are met:

- 1) Containers holding liquid agrichemical formulations have been triple rinsed;
- 2) Containers holding dry or solid formulations have been emptied to

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the extent feasible;

- 3) Atmospheric conditions will readily dissipate the contaminants;
- 4) The burning does not create a visibility hazard on roadways, railroad tracks or air fields;
- 5) The burning occurs more than 1,000 feet from residential or other populated area;

- 6) It can be shown that it is the most efficient disposal method available, based upon factors including, but not limited to, cost, location, and type of waste;
- 7) The burning does not cause air pollution as defined in the Illinois Environmental Protection Act; and
- 8) The area where the burning occurs is not subject to State or local restrictions.

- d) Until January 1, 1995, the open burning of combustible agrichemical containers is permissible at an agrichemical facility provided the following conditions are met:

- 1) Containers holding liquid agrichemical formulations have been triple rinsed;
- 2) Containers holding dry or solid formulations have been emptied to the extent feasible;
- 3) Each burning event shall be limited to 40 items (e.g., bags, cartons, plastic jugs) or less;
- 4) Atmospheric conditions will readily dissipate the contaminants;
- 5) The burning does not create a visibility hazard on roadways, railroad tracks or air fields;
- 6) The burning occurs more than 1,000 feet from residential or other populated area;
- 7) It can be shown that it is the most efficient disposal method available, based upon factors including, but not limited to, cost, location, and type of waste;
- 8) The burning does not cause air pollution as defined in Sections 3.02 and 9 of the Illinois Environmental Protection Act (411 Rev. Stat. 1987 ch. 111-172--par. 1-1001--et seq.) [415 ILCS 5/3.02 and 5/9];
- 9) The area where the burning occurs is not subject to State or local restrictions; and
- 10) Ashes and other residues resulting from the open burning shall be protected against contact by precipitation and disposed of in accordance with the Environmental Protection Act (411 Rev. Stat. 1987 ch. 111-172--par. 1-1001--et seq.) [415 ILCS 5] and the rules adopted under that Act (35 Ill. Adm. Code 807).

(Source: Amended at 19 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



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1) Heading of the Part: Lawn-care Wash Water and Rinsate Collection

2) Code Citation: 8 Ill. Adm. Code 256

3) Section Numbers: Proposed Action:

256.30 Amended

256.50 Amended

256.70 Amended

4) Statutory Authority: Illinois Lawn-care Products Application and Notice Act [415 ILCS 65]

5) A Complete Description of the Subjects and Issues Involved: References to the Illinois Compiled Statutes are being added. In Section 256.50, Experimental Permits are currently issued for two year periods and are for containment processes or techniques that do not satisfy the requirements of this Part. The proposed change would allow an experimental permit to be issued for periods up to five years after the containment processes or techniques have been in place for at least four years. This allows for the retention of the "experimental" designation but adjusts the permit period to be consistent with all other permits after the experimental design has shown success for four years.

6) Will this proposed rule replace an emergency rule in effect?: No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed rule amendment contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: Rule does not affect units of local governments.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: A public hearing on the proposed amendments will be held on Friday, February 10, 1995 at 10:00 a.m., Department of Agriculture, State Fairgrounds, Springfield, Illinois. Persons unable to attend the hearing may present their comments on the proposed rulemaking in writing to the Director, Department of Agriculture, P. O. Box 19281, State Fairgrounds, Springfield, Illinois 62794-9281. Mailed comments must be postmarked no later than February 6, 1995 so they will be available for consideration at the public hearing. All comments received will be fully considered by the agency.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and

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not-for-profit corporations affected: agrichemical facilities

B) Reporting, bookkeeping or other procedures required for compliance: The proposed change would reduce the paperwork requirements associated with the permit renewal process for both industry and the Department in that permits would be required to be renewed less often.

D) Types of professional skills necessary for compliance: No additional skills are required for compliance with the proposed amendment.

The full text of the Proposed Rules begins on the next page:

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TITLE 8: AGRICULTURE AND ANIMALS  
CHAPTER I: DEPARTMENT OF AGRICULTURE  
SUBCHAPTER I: PESTICIDE CONTROL

PART 256

LAWNCARE WASH WATER AND RINSATE COLLECTION

Section	
256.10	Definitions
256.20	Scope and Application
256.30	Permits
256.40	General Class Permits
256.50	Experimental Permits
256.60	Special Permits
256.70	Wash Water Containment Area Management and Operations
256.80	Site Closures and Discontinuation of Operations
256.90	Connections to the Water Supply

AUTHORITY: Implementing and authorized by the Illinois Lawncare Products Application and Notice Act [415 ILCS 65].

SOURCE: Adopted at 17 Ill. Reg. 2189, effective February 9, 1993; amended at 19 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

Section 256.30 Permits

a) A lawncare containment permit (either general class, experimental, or special) issued by the Department shall be obtained for each existing and new wash water containment area as defined by the Act. Permit applications shall be submitted on forms provided by the Department. A permit shall be obtained prior to the commencement of any construction necessary to meet the requirements to the Act or these rules. When required by the provisions of the Illinois Professional Engineering Practice Act (415 ILCS 65), all engineering plans and specifications accompanying the application for the wash water containment area shall be prepared by an Illinois Professional Engineer. A permit shall be amended before the commencement of any modification of the wash water containment area. Alterations to the wash water containment area may be done without permit amendment. A facility owner or operator may contact the Department for determinations regarding proposed alterations versus modifications. A permit shall be transferred to a new owner or operator upon written notification by the permittee to the Department. Permits shall be renewed every 5 years.

b) An application for a permit submitted by a corporation shall be signed by a principal executive officer of at least the level of the vice president, or a duly authorized representative who is responsible for the overall operation of the wash water containment area described in the application. In the case of a partnership or a sole

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proprietorship, the application shall be signed by a general partner or the proprietor respectively. In the case of a publicly owned wash water containment area, the application shall be signed by either a principal executive officer, ranking official or a duly authorized employee.

c) The wash water containment area shall be constructed of impervious materials as required by the Act and shall be compatible with the materials applied by the application device. Synthetic materials or liners may be used for wash water and rinsate collection containment structures provided they are compatible with the pesticide(s) being contained and it is installed according to the manufacturer's written directions. The structure shall be repaired and maintained according to the manufacturer's recommendations. These directions and recommendations shall become permanent records to be maintained at the facility site. A written confirmation of compatibility and a written estimate of life expectancy from the manufacturer shall also be kept on file at the facility.

d) The Department shall allow an innovative design to satisfy the structural requirements of this Part if the application for a permit is accompanied with a registered professional engineer's statement certifying that the design shall provide protection to the environment equivalent to that of this Part. All engineering costs shall be the responsibility of the person making the request. A permit issued "with condition(s)" means that the facility is deficient in some area in order to meet full compliance with the before stated rules. A permit with condition(s) would be issued if the operation of the facility during the period of time that the facility owner was correcting the deficiency does not jeopardize the environment. If the Department fails to grant or deny the permit as requested or issue with condition(s) within 90 days from the date of receipt of the application, the applicant may deem the permit granted for a one year period commencing on the 91st day after the application was received. If the application for a permit is denied, the Department shall notify the applicant in writing as to why the permit was denied.

(Source: Amended at 19 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 256.50 Experimental Permits

a) To facilitate the improvement of containment technology, the Department shall issue Experimental permits for wash water containment areas that do not satisfy the requirements of this Part, provided the applicant provides proof (i.e., quality control, quality assurance, and supportive analytical data) that the process or technique has a reasonably substantial chance for success (i.e., the quality control for the experimental design will indicate if there is any malfunction).



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- b) The Department shall issue a permit within 90 days after receipt of the application, provided the documents accompanying the application indicate that the wash water containment area shall be in compliance with the provisions of the Act and these rules. In addition to completed application forms, the submittal for an experimental permit shall include the following documents:
  - 1) a location area map,
  - 2) detailed plot plan of the facility,
  - 3) water supply protection schematic flow diagram,
  - 4) detailed engineering plans and specifications,
  - 5) operations and management practices plan, and
  - 6) any additional information the applicant or Department deems necessary to fully describe the project.
- c) A valid Experimental permit shall constitute a prima facie defense to any action brought against the permit holder for a violation of the Rule of this Part, but only to the extent that such action is based upon the failure of the process or technique.
- d) **Att-** Initially, all Experimental permits shall have a duration not to exceed two years. Experimental permits which have been renewed at least once and have thus been in effect for at least 4 years may be renewed for periods of no greater than 5 years.
- e) Application for renewal of an Experimental permit shall be submitted to the Department at least 90 days prior to the expiration of the existing permit. To the extent the information to be supplied for renewal is identical with that contained in the prior permit application, the applicant shall so note on the renewal application, and the Department shall not require the submittal of data and information submitted with the original application.

(Source: Amended at 19 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 256.70 Wash Water Containment Area Management and Operations

- a) Precipitation and accumulation shall never exceed a level that would impair the holding capacity of the wash water containment area. Such precipitation accumulation shall be removed from the wash water containment area after each storm and shall be field applied at agronomic rates, used in a liquid mixing operation, or otherwise recycled or disposed of in accordance with these rules. Precipitation accumulation from wash water containment areas shall not be discharged from the containment area as surface runoff during the application season, except when the containment structure has been cleaned and rinsed of pesticides in compliance with subsection (b) below, and the discharge shall not cause either water quality violations pursuant to the 35 Ill. Adm. Code, Subtitle C or a pesticide release pursuant to the Environmental Protection Act. ~~§ 10-1. Rev. Stat., ch. 111, § 17-1; par. 10-1 et seq.~~ [45 ILCS 5]. Any pesticide laden residua, rinsates,

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- and pesticide contaminated wash water that are to be land applied shall be handled in accordance with the products' labels. Field application of diluted pesticide solutions is an acceptable use if the total annual application amounts of the pesticide do not exceed the pesticide label application rates. Rinsates and pesticide contaminated wash water may be used to make up the total spray mixture if the mixture does not exceed the pesticide label application rates. Pesticide, pesticide residues, rinsates, and pesticide contaminated wash water shall not be disposed of through storm sewers, sanitary sewer systems, public or private sewage treatment facilities or wells, waters of the State, nor to land, except as provided in this Section. Pesticide spills into wash water containment areas shall be recovered promptly and the structure washed to remove pesticide contamination. Proper cleaning shall include removal, washing and rinsing of material from the area, mud pits, sump pits and all interconnected pipes of structures. These wash water containment areas shall be washed with a biodegradable cleanser, triple rinsed with a high pressure hose and all standing water removed and disposed of as provided in subsection (a) above.
- c) Field washing of exterior surfaces of pesticide application equipment is acceptable at the site of the pesticide application provided no runoff from the site occurs.
- d) Spray application vehicles and equipment that are not cleaned shall be parked in the wash water containment area or otherwise protected from precipitation so as to prevent the release of pesticide residues to the environment.

(Source: Amended at 19 Ill. Reg.           , effective            )

Environmental Protection Agency      40 CFR Parts 160-199      40 CFR Parts 160-199  
[415 ILCS 5]      Any pesticide residues      residues      rinsates,

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## NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Illinois Child Labor Law

2) Code Citation: 56 Ill. Adm. Code 250

3) Section Numbers: Proposed Action:

250.105	Amendment
250.305	New Section
250.310	New Section
250.315	New Section
250.805	Amendment
250.855	Amendment

4) Statutory Authority: Implementing Section 8.1 of the Child Labor Law (Ill. Rev. Stat. 1991, ch. 48 par. 31.8-1 [820 ILCS 205/8.1]).

5) A Complete Description of the Subjects and Issues Involved: These amendments set forth the application process for a work hours waiver under the Child Labor Law; outline the process for issuing such a waiver; state the record keeping and disclosure requirements for such a waiver; and, amend the regulatory provisions relating to the citation of work hour violations under the Act.

6) Will this proposed amendment replace an emergency rule currently in effect? Yes. 18 Ill. Reg. 16699 (Nov. 14, 1994).

7) Does this rulemaking contain an automatic repeal date? No.

8) Does this proposed amendment contain incorporations by reference? No.

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objective: These amendments will not require new expenditures by units of local governments.

11) Time, Place and Manner in which interested persons may comment on the proposed rulemaking: In writing, within 45 days of the publication to:

Sharon Ballin, Chief Legal Counsel  
Illinois Dept. of Labor  
160 North LaSalle St., Suite C-1300  
Chicago, IL 60601  
312/793-1819

12) Initial Regulatory Flexibility Analysis: The Department has determined that this proposed rulemaking will affect small business as the term is defined by Ill. Rev. Stat. 1991, ch. 127, par. 1001-75 [5 ILCS 100/1-75].

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The full text of the Proposed Amendments begins on the next page:



## DEPARTMENT OF LABOR

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## TITLE 56: LABOR AND EMPLOYMENT

## CHAPTER I: DEPARTMENT OF LABOR

## SUBCHAPTER b: REGULATION OF WORKING CONDITIONS

## PART 250

## ILLINOIS CHILD LABOR LAW

## SUBPART A: DEFINITIONS

Section	
250.100	Definition of the Act
250.105	Definitions
250.110	Minor (Repealed)
250.115	Agriculture (Repealed)
250.120	Week (Repealed)
250.125	Work (Repealed)
250.130	Time Record (Repealed)
250.135	Premises (Repealed)
250.140	Suffer (Repealed)
250.145	Garage (Repealed)
250.150	Employer and All Interested Parties (Repealed)

## SUBPART B: EMPLOYMENT CONDITIONS SUBJECT TO THE ACT

Section	
250.200	Employers Subject to the Act
250.205	Minors Assisting Employees of Tax Supported School Lunch Programs
250.210	Movie Theatres
250.215	Car Wash
250.220	Employment in or about Airfields
250.225	Office and Ice Cream Dispensing Equipment
250.230	Enclosed, Self-sealing Automatic Dishwashers
250.235	Power Driven Machinery
250.240	Exhibition Park or Place of Amusement
250.245	Employment in Establishments Selling Package Liquors
250.250	Shopping Malls and Similar Structures Containing Two or More Buildings
250.255	Performances in Alcoholic Beverage Serving Establishments Excepting those Theatrical Productions in Sec. 8 of the Act
250.260	Employment of Minors as Models
250.265	Parent/Guardian Required Presence at Performance
250.270	Non-Resident Minor Seeking Employment

## SUBPART C: HOURS OF EMPLOYMENT

Section	
250.300	Number of Days Employment Limit

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## Applying for a Section 8.1(b) Work Hours Waiver

## Issuance of a Section 8.1(b) Work Hours Waiver

250.305	Section 8.1(b) Work Hours Waiver Record Keeping and Disclosure Requirements
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## SUBPART D: EMPLOYMENT CERTIFICATE ISSUING OFFICERS

Section	
250.400	Issuing Officers are responsible for:

## SUBPART E: RESPONSIBILITIES OF EMPLOYERS

Section	
250.500	The Employer shall:

## SUBPART F: APPLICABILITY OF THE ILLINOIS ADMINISTRATIVE PROCEDURE ACT

Section	
250.600	Revocation of Employment Certificates; Civil Penalty Assessments

## SUBPART G: HEARING PROCESS

Section	
250.700	Procedure and Time Table for Suspension or Revocation of Employment Certificates
250.705	Procedure for Child Labor Penalty Assessment
250.710	Assessing Penalties
250.715	Procedure for Contested Cases; Suspension or Revocation of Employment Certificates; Final Determinations of Civil Penalties

## SUBPART H: EMPLOYER VIOLATIONS

Section	
250.800	Minimum Age
250.805	Hours of Work
250.810	Meal Period
250.815	Posting of Hours
250.820	Time Record
250.825	Hazardous Occupations
250.830	Minor Under Sixteen Appearing in Theatrical Productions
250.835	Employment Certificate Require
250.840	Duties of Employers
250.845	Violations of Section 250.260 of the Rules and Regulations Pertaining to Employment of Minors as Models
250.850	Parent/Guardian Not Present at Performance
250.855	Minors Under Sixteen Appearing in Television or Motion Picture

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## Productions

250.860 Minors: Athletic or Acrobatic Activity and Stunts

**AUTHORITY:** Implementing Section 8.1 of the Illinois Child Labor Law (Ill. Rev. Stat. 1991, ch. 48, par. 31.8-1) (820 ILCS 205/8.1).

**SOURCE:** Adopted at 2 Ill. Reg. 22, P. 64, effective May 23, 1979; amended at 5 Ill. Reg. 902, effective January 14, 1981; codified at 8 Ill. Reg. 18483; emergency amendment at 15 Ill. Reg. 16132, effective October 25, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 5335, effective March 24, 1992; emergency amendment at 18 Ill. Reg. 16699, effective October 25, 1994, for a maximum of 150 days; amended at 19 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: DEFINITIONS

## Section 250.105 Definitions

"Agriculture" means farming in all of its branches and among other things includes the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural commodity (including commodities defined as agricultural commodities in Section 15(g) of the U.S. Agricultural Marketing Act as amended (7A U.S.C. 1141 et seq.), the raising of livestock, bees, furbearing animals, or poultry, and any practices (including any forestry or lumbering operations) performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including preparation for market, delivery to storage, or to market, or to carriers for transportation to market. The phrase "incident to or in conjunction with" shall not include construction, by a private contractor, of farm buildings on a farm.

"Day" means a calendar day.

"Department of Labor" and "Department" shall mean the Illinois Department of Labor, its Director, and his/her authorized representatives.

"Employed" means the relationship between a minor and an employer wherein a minor performs services for the benefit of an employer with the actual or implicit knowledge of the employer. The presence of a minor on an employer's premises performing work shall constitute prima facie evidence of the minor's employment therein. This principle applies equally to the employer that is also a specified minor's family member, except as provided in Section 2 of the Act.

"Employer" means any individual, partnership, association,

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corporation, business trust, enterprise, or any person or group of persons acting directly or indirectly in the interest of an employer in relationship to a minor.

"Enterprise" means an activity as defined by Section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(r) and (s)).

"Filling Station or Service Station": the phrase "in or about any filling station or service station" shall include those areas used for convenience and/or grocery stores at a filling station or service station.

"Gainful Occupation" means any service, trade, business, profession, or calling a minor pursues with the reasonable expectation of compensation.

"Garage" means, but is not limited to, establishments selling and/or repairing automobiles, trucks, farm implements, and other vehicles capable of being propelled by their own power, and their premises; provided that office employment shall not be prohibited.

"Minor" means children that have not attained their sixteenth birthday. For the purpose of this Act, a person attaining their sixteenth birthday shall no longer be considered a minor.

"Permitted or Allowed" means the imposition of liability on a person who does not directly employ a minor in violation of the Act, but has sufficient control over the employer to discover the illegal employment and sever the employment relationship.

"Premises", as used in Section 6 and 7 of the Act, means a specified employer's buildings, grounds and appurtenances, but shall not include the designated space of separate and independent employers conducting business under a common roof.

"Suffer" means to tolerate, allow or permit to perform an act of working.

"Televisions, motion picture, or related entertainment production", as used in Section 8.1(b) of the Act, means films, videotape or television programming of theatrical, commercial, or documentary presentations viewed by a member of the general public in a theater, or on a television screen.

"Time Record" means an accurate time record for each minor employed. Time records shall include the following information for each minor: name, address, date of birth, starting and ending dates of employment, starting and ending dates of each work day, starting and



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ending time of each meal break and number of hours worked daily and weekly.

"Week" means the calendar week, i.e., that seven consecutive day period beginning at 12:01 a.m. on Sunday morning and ending on the following Saturday night at midnight.

"Work" means all times during which an employed minor is required, permitted or allowed to be on the employer's premises, or at a prescribed work place.

(Source: Amended at 19 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART C: HOURS OF EMPLOYMENT

Section 250.305 Applying for a Section 8.1(b) Work Hours Waiver

- a) No employer subject to the provisions of the Act shall employ, permit or allow a minor to work in a television, motion picture, or a related entertainment production (as defined in Section 250.105 of these Rules and Regulations) between 7 p.m. and 7 a.m. from Labor Day to June 1 or between 9 p.m. and 7 a.m. from June 1 until Labor Day, without first obtaining a certificate for a work hours waiver from the Department of Labor.
- b) An official application form for a work hours waiver shall be provided by the Department. The employer shall answer all questions contained on the form, including, but not limited to: the name, address and birth date of the minor at issue; the specific work hours during a particular date that the employer requests the waiver; the name, address and telephone number of the person that the employer has assigned and authorized to supervise the minor during the work hours covered by the application for a waiver; a specific description of the minor's performance, including information concerning the plot of the movie or television series, if a commercial or music video, its essential lyrics; and, a description and address of the exact place(s) where the minor will work during the hours covered by the waiver request, including information concerning the surrounding physical set or physical environment.
- c) The employer shall attach to the application for a work hours waiver a copy of the minor's valid employment certificate, issued pursuant to Sections 9 - 12 of the Act.
- d) The application must be signed and dated by a parent or legal guardian of the minor, the employer, and an authorized representative of a collective bargaining unit, if a union represents the minor upon the date of the application.
- e) The employer must submit an application for a work hours waiver as soon as practicable, but no later than 12:00 p.m. (Noon), for any

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hours requested to be worked between 7/9 p.m. on that day and 7 a.m. on the following calendar day.

(Source: Added at 19 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 250.310 Issuance of a Section 8.1(b) Work Hours Waiver

- a) The Department of Labor shall investigate the statements made on the employer's application for a work hours waiver, and issue a certificate for a work hours waiver for the employer to employ said minor for the hours, under the condition specified by the application, when s/he is satisfied that the health, welfare and education of the minor will not be jeopardized by such work.
- b) An employer applying for a work hours waiver shall not consider its request granted until it receives a certificate for a work hours waiver from the Department of Labor, signed by the Director or his/her authorized representative.
- c) Upon the expiration of said waiver, an employer may reapply for a new work hours waiver for a date and time certain in the future, subject however to the same terms and conditions as required for an original application.

(Source: Added at 19 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 250.315 Section 8.1(b) Work Hours Waiver Record Keeping and Disclosure Requirements

- a) An employer shall keep a copy of the certificate for a work hours waiver at the exact place(s) and address(es) where the minor is working during the hours covered by the waiver.
- b) An employer shall maintain a certificate for a work hours waiver issued pursuant to Section 8.1(b) of the Act and Section 250.310 of these Rules and Regulations, for each minor employee for at least 3 years irrespective of whether the employee has been terminated.
- c) An employer shall make all certificates for a work hours waiver available for inspection and transcription by a duly authorized agent of the Department.

(Source: Added at 19 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART H: AN EMPLOYER SHALL BE CITED FOR VIOLATIONS OF THE ACT AS FOLLOWS:

Section 250.805 Hours of Work

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A separate violation of Section 3 of the Act shall be charged for every instance in which an employer employed, permitted, or allowed a minor to work:

- a) for more than six consecutive days in any calendar week,
  - b) over 48 hours in any calendar week when school is not in session, over eight hours per day,
  - d) between 7 p.m. and 7 a.m. from Labor Day until June 1 or between 9 p.m. and 7 a.m. from June 1 until Labor Day,
  - e) over three hours on a day school is in session,
  - f) over eight hours per day combining school and work hours,
  - g) over twenty-four hours in any calendar week when school is in session.
- (For specific requirements for minors under sixteen appearing in television or motion picture productions, see Section Sections 250.305 - 250.315, and 250.855).

(Source: Amended at 19 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

#### Section 250.855 Minors Under Sixteen Appearing in Television or Motion Picture Productions

A violation shall be charged under Section 8.1 of the Act for each minor employed:

- a) for whom an employment certificate has not been issued,
- b) who performs without the presence of the parent or guardian,
- c) who performs in excess of eight hours per day or 48 hours per week, except that minors under seven years of age shall not work in excess of six hours per day or 36 hours per week,
- d) who performs in excess of six days in a week,
- e) ~~who works before 6:00 a.m. or after 11:00 p.m. on any day~~
- f) who fails to attend school or receive educational services as provided by the Illinois School Code,
- g) who is not provided with a 12 hour rest break at the end of his or her work day and prior to the commencement of his or her next day of work or school,
- h) who is not provided with separate and adequate facilities for rest, schooling and recreation.

(Source: Amended at 19 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Services
- 2) Code Citation: 89 Ill. Adm. Code 590
- 3) Section Numbers: 590.250  
Proposed Action: Amendments
- 4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/0.01], and authorized by Section 16 of the Civil Administrative Code of Illinois [20 ILCS 5/16]
- 5) A Complete Description of the Subjects and Issues Involved: To clarify DORS' policy regarding financial participation in the cost of a customer attending an out-of-state training program when comparable training is available within Illinois. This is not a change in policy, merely a clarification.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this rulemaking contain incorporations by reference? No.
- 9) Are there any other proposed rulemakings pending on this Part? Yes.

Section Numbers	Proposed Action	Illinois Register Citation
590.60	Amendment	Not yet published
590.320	Amendments	16275
590.370	Repealer	16275
590.320	Emergency Amendments	16468
590.370	Emergency	
	Repealer	16468
590.400	Amendments	14627
590.410	Amendments	14627

- 10) Statement of Statewide Policy Objectives: This is not applicable to this Rulemaking.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Susan Warner, Manager  
Regulations and Procedures Division  
Department of Rehabilitation Services



## DEPARTMENT OF REHABILITATION SERVICES

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P.O. Box 19429  
Springfield, Illinois 62794-9429  
Telephone number: (217)785-3896  
TTD/TTY (217)785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

The full text of the Proposed Amendment begins on the next page:

## DEPARTMENT OF REHABILITATION SERVICES

## NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES  
SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 590  
SERVICES

## SUBPART A: APPLICABILITY

Section  
590.10  
590.20  
590.30  
590.35  
590.40

General Applicability  
Availability of Services  
Effect of Financial Status on Services  
Effect of Comparable Benefits  
Choice of Service Providers

## SUBPART B: MEDICAL, PSYCHOLOGICAL AND RELATED SERVICES

Section  
590.50  
590.60  
590.70  
590.80  
590.90  
590.100  
590.110  
590.120  
590.130  
590.140  
590.150  
590.160  
590.170  
590.180  
590.190

Provision of Services  
Qualification of Medical and Psychological Service Providers  
Treatment of Acute Conditions  
Medication and Treatment  
Hearing Aids  
Binaural Hearing Aids  
Speech and Language Services  
Low Vision Aids  
Mental Restoration Services  
Heart Surgeries  
Kidney Transplant and Related Services  
Chiropractic Services  
Prosthetic and Orthotic Device  
Wheelchairs  
Prohibited Services

## SUBPART C: TRAINING AND RELATED SERVICES

Section  
590.200  
590.210  
590.220  
590.230  
590.240  
590.250  
590.260  
590.270  
590.280  
590.290

Provision of Services  
Qualification of Training Facilities/Institutions  
Purpose and Types of Training  
Financial Guidelines for Training Services  
Graduate School Training  
Choice of Training Facility/Institution  
Summer School  
Grades  
Health Status  
On-the-Job Training

## DEPARTMENT OF REHABILITATION SERVICES

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590.300 Default on Educational Loans

## SUBPART D: TOOLS, EQUIPMENT, SUPPLIES AND INITIAL STOCK

Section  
590.310 Provision of Services  
590.320 Self-Employment Program  
590.330 Services/Goods not Available  
590.340 Bidding Requirements  
590.350 Recovery of Tools, Equipment, Supplies and Initial Stock  
590.360 Transfer of Title  
590.370 Limitation of Financial Participation

## SUBPART E: VEHICLE ADAPTATION AND ENVIRONMENTAL MODIFICATION

Section  
590.375 Provision of Services  
590.380 Vendor Requirements  
590.390 Bidding Requirements  
590.400 Vehicle Adaptation  
590.410 DORS Financial Participation in Van Adaptation  
590.420 Environmental Modification  
590.430 Written Agreements for Environmental Modification  
590.440 Compliance with Capital Development Board Specifications

## SUBPART F: PERSONAL SUPPORT SERVICES AND AUXILIARY AIDS

Section  
590.450 Provision of Services  
590.460 Types of Services  
590.470 Services  
590.480 Qualifications for Services Provided by Individuals  
590.490 Payment for Support Services Provided by Individuals and Conditions of Service Provision

## SUBPART G: COMPUTER EQUIPMENT AND SENSORY AID LOAN

Section  
590.500 Provision of Services  
590.510 Definitions  
590.520 Purpose of Equipment Loans  
590.530 Criteria for Loan of Equipment/Aids  
590.540 Equipment/Aids Loan Request Procedures and Approval Process  
590.550 Duration of Loans  
590.560 Maintenance and Return of Equipment/Aids  
590.570 Assistance in Obtaining Permanent Equipment/Aids  
590.580 Limitations on Available Equipment/Aids

## DEPARTMENT OF REHABILITATION SERVICES

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## SUBPART H: OTHER SERVICES

Section  
590.590 Provision of Services  
590.600 Transportation and Temporary Lodging  
590.610 Other Goods and Services  
590.620 Equipment Sets

## SUBPART I: PLACEMENT

Section  
590.630 Provision of Placement Services  
590.640 Description of Services

## SUBPART J: MAINTENANCE

Section  
590.650 Provision of Services  
590.660 Definitions  
590.670 Determination of the Need for Maintenance  
590.675 Determination of Client Financial Participation in Maintenance  
590.680 Exceptions to Basic Needs Level

## SUBPART K: POST-EMPLOYMENT SERVICES

590.700 Provision of Services  
590.710 Definitions  
590.720 Scope of Services

## SUBPART L: TRANSITION

590.730 Provision of Services  
590.740 Definitions  
590.750 Secondary Transitional Experience Program (STEP)

**AUTHORITY:** Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3], and authorized by Section 6 of the Civil Administrative Code of Illinois [20 ILCS 5/16]

**SOURCE:** Emergency Rules adopted at 17 Ill. Reg. 11812, effective July 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 20461, effective November 15, 1993; amended at 18 Ill. Reg. 11275, effective June 30, 1994; emergency amendment at 18 Ill. Reg. 16168, effective October 20, 1994, for a maximum of 150 days; amended at 19 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 590.250 Choice of Training Facility/Institution**



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- a) To the maximum extent possible, the client customer shall have the choice of the training facility/institution he/she will attend in completion of his/her IWRP (89 Ill. Adm. Code 572). However, facilities within the State of Illinois shall be given preference and State operated institutions of higher education shall be given preference over private and out-of-state institutions.
- b) While Although in-state, State operated facilities and local community college must be given preference, a client's customer's choice to attend a private or out-of-state facility/institution may be approved if:

- 1) there is no comparable training at a State operated facility, in-state facility, or the client's customer's local community college as verified by the counselor based on information regarding curriculum, recommendation of colleagues, and past experience with facilities/institutions offering training in the area of the client's customer's employment objective.
- 2) the cost of the training at the private or out-of-state facility/institution is less than that of the same or similar training at a State operated facility/institution, in-state facility/institution or local community college;
- 3) because of the client's customer's particular impediments to employment, no State operated facility/institution, in-state facility/institution or the local community college is accessible for the client customer. Whether a private or out-of-state an in-state facility's/institution's training is comparable to that offered at an in-state facility/institution or State-operated facility/institution or local community college accessible to the customer shall be determined by the counselor based on information regarding curriculum, recommendations of colleagues and past experience with facilities/institutions offering training in the area of the client's customer's employment objective.

- c) If none one or more of the circumstances listed in 89 Ill. Adm. Code 590.250 (b) above is not met, DORS may shall only authorize the total cost of tuition, fees and maintenance up to the cost of attending the highest state operated facility (89 Ill. Adm. Code 590, Subpart H J), less scholarships, other comparable benefits (89 Ill. Adm. Code 567) and required client customer financial participation (89 Ill. Adm. Code 562) up to the cost of the highest State-operated facility. If one or more of the criteria is met, DORS may authorize up to the total cost of the training, less scholarship, comparable benefits and client customer financial participation.

Source: Amended at ( ) Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SECRETARY OF STATE

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Procedures and Standards

- 2) Code Citation: 92 Ill. Adm. Code 1001

- 3) Section Numbers: Proposed Action:

1001.600	New Section
1001.610	New Section
1001.620	New Section
1001.630	New Section
1001.640	New Section
1001.650	New Section
1001.660	New Section
1001.670	New Section
1001.680	New Section
1001.690	New Section

- 4) Statutory Authority: Authorized by Sections 2-104 and 11-501.8 of the Illinois Vehicle Code (625 ILCS 5/2-104, 11-501.8).

- 5) A Complete Description of the Subjects and Issues Involved: This Rule sets forth the hearing procedures for petitioners under the age of 21 who wish to contest or seek restricted driving permits while under suspension for operating a motor vehicle with any amount of alcohol in their system.

- 6) Will this proposed rule replace an emergency rule currently in effect? Yes.

- 7) Does this rulemaking contain an automatic repeal date? No.

- 8) Does this proposed amendment contain incorporations by reference? No.

- 9) Are there any other proposed amendments to this Part pending? No.

- 10) Statement of Statewide Policy Objectives: These proposed amendments will not require local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.


- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on these proposed amendments may submit written comments no later than 15 days after the publication of this Notice to:

Jay L. Mesri, Senior Legal Advisor  
Department of Administrative Hearings  
200 Howlett Building  
Springfield, Illinois 62746

## SECRETARY OF STATE

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- 12) Initial Regulatory Flexibility Analysis: The Office has determined that these amendments will not affect small businesses.

The full text of the proposed amendment is identical to the text of the emergency amendment appearing in this Register issue on Page 54 

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Travel
- 2) Code Citation: 80 Ill. Adm. Code 2800
- 3) Section Number: Adopted Action:

2800.100	Amend
2800.230	Amend
2800.235	New
2800.240	Amend
2800.260	Amend
2800.600	Amend
2800.700	Amend
- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 127, pars. 148, 148-1, 148-2 and 148-3 [30 ILCS 105/12 through 12-3].
- 5) Effective Date of Rules: January 1, 1995
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Do the Rules contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: January 1, 1995
- 9) Notice of Proposal Published in Illinois Register:  
August 19, 1994, 18 Ill. Reg. 12567
- 10) Has JCAR issued a Statement of Objections to the Amendments? No.
- 11) Differences between proposal and final version:  
Several minor typographical changes were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements were necessary.
- 13) Will the Rules replace an emergency rule currently in effect? No.
- 14) Are there any amendments pending on this Part? No.
- 15) Summary and Purpose of Rules:  
New Section 2800.235 will clarify the Governor's Travel Control Board's interpretation of how mileage reimbursement is to be calculated. In



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

general, if an employee travels to or through their designated headquarters city enroute to their destination, then they will be required to deduct commuting mileage before submitting mileage reimbursement claims. Some other Section amendments relate to this new Section.

Additional sections are being amended to clarify existing rules. The word "charge" will replace the word "credit" where applicable. Also, the section requiring advance approval for out of country travel is being moved to a more appropriate section.

16) Information and questions regarding this adopted rule shall be directed to:

Stephen W. Seiple  
720 Stratton Office Building  
Springfield, IL 62706  
(217)782-9669  
TTDD (217)785-3979

The full text of the Adopted Rules begin on the next page.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE I: GENERAL TRAVEL CONTROL

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES/  
GOVERNOR'S TRAVEL CONTROL BOARD

PART 2800  
TRAVEL

SUBPART A: GENERAL

Section  
2800.100 Definitions  
2800.110 Application and Interpretation

SUBPART B: TRAVEL CONTROL SYSTEM

Section  
2800.200 Travel Control System  
2800.210 Travel Coordinator  
2800.220 Travel Authority  
2800.230 Government ~~Credit~~ Charge Cards  
2800.235 Expenses at Headquarters or Residence  
2800.240 Preparation and Submission of Travel Vouchers  
2800.250 Approval and Submission of Travel Vouchers  
2800.260 Items Directly Billed  
2800.270 Conference Registration Fees

SUBPART C: TRANSPORTATION EXPENSES

Section  
2800.300 Incidental Expenses for Private and State Owned Automobiles

SUBPART D: LODGING

Section  
2800.400 Conference Lodging  
2800.410 Employee Owned or Controlled Housing

SUBPART E: PER DIEM MEALS

Section  
2800.500 Conference Meals

SUBPART F: MISCELLANEOUS RULES

Section  
2800.600 Lack of Receipts  
2800.650 Headquarter Designation for Agency Heads

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## SUBPART G: EXCEPTIONS TO THE RULES

Section 2800.700 Special Exceptions-Requested in Advance  
2800.710 Ex Post Facto Exceptions

**AUTHORITY:** Implementing and authorized by Sections 12, 12-1, 12-2, and 12-3 of the State Finance Act (Ill. Rev. Stat. 1991, ch. 127, par. 148, 148-1 148-2, and 148-3) [30 ILCS 105/12, 12-1, 12-2 and 12-3] and authorized by the Travel Regulation Council (80 Ill. Adm. Code 3000).

**SOURCE:** Amended March 11, 1976; amended at 2 Ill. Reg. 30, p. 215, effective August 1, 1978; new rules adopted at 4 Ill. Reg. 28, p. 155, effective July 1, 1980; old rules repealed at 4 Ill. Reg. 30, p. 1224, July 1, 1980; amended at 5 Ill. Reg. 150, effective January 1, 1981; amended at 6 Ill. Reg. 6682, effective July 1, 1982; amended at 7 Ill. Reg. 9205, effective August 1, 1983; amended at 8 Ill. Reg. 127, 130, effective January 1, 1984; amended at 8 Ill. Reg. 14243, effective August 1, 1984; codified at 8 Ill. Reg. 19350; amended at 10 Ill. Reg. 18014, effective October 6, 1986; Part repealed, new Part adopted at 12 Ill. Reg. 738, effective January 15, 1988; emergency amendment at 15 Ill. Reg. 13196, effective September 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17981, effective November 27, 1991; amended at 16 Ill. Reg. 4831, effective March 12, 1992; amended at 16 Ill. Reg. 13823, effective September 1, 1992; amended at 18 Ill. Reg. 63, effective JAN 01 1995.

## SUBPART A: GENERAL

## Section 2800.100 Definitions

The following definitions shall apply to this Part:

"Board": The Governor's Travel Control Board

"Council": The Travel Regulation Council

"Commuting Mileage": The actual round trip mileage between residence and headquarters.

"Commuting Expense": The cost of one round trip between residence and headquarters. Cost may include mileage, parking fees, tolls, etc. Mileage cost is determined by multiplying the commuting mileage by the mileage reimbursement rate defined in the Travel Regulation Council Rules (80 Ill. Adm. Code 3000).

(Source: Amended 18 Ill. Reg. 36 effective JAN 01 1995)

Section 2800.230 Government Credit Charge Cards

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## NOTICE OF ADOPTED AMENDMENTS

- a) Agencies are encouraged to establish a Government Credit Charge Card travel expense payment system in accordance with the agreement negotiated by the Governor's Travel Control Board.
- b) An employee who direct bills State travel expenses at least four (4) times per year should be issued a Government Credit Charge Card.
- c) The Government Credit Charge Card may only be used for business related travel expenses, specifically transportation, lodging, meals, and other expenses considered reimbursable under this Part or under the Rules of the Travel Regulation Council (80 Ill. Adm. Code 3000, Subparts C, D, E and F). Reimbursements to the employee for charges paid for with the Government Credit Charge Card may not exceed the amounts specified in the Reimbursement Schedule (found in the rules of the Travel Regulation Council).
- d) Agencies are responsible for monitoring the travel expense payment system to ensure compliance with this Part and the rules of the Council and the terms of the agreement. Misuse or abuse of the Government Credit Charge Card may result in disciplinary action.

(Source: Amended at 18 Ill. Reg. 36 effective JAN 01 1995)

## Section 2800.235 Expenses at Headquarters or Residence

- a) As a condition of employment, employees expect to incur commuting expenses between their residence and headquarters. These expenses are not reimbursable. Expenses associated with State business in excess of commuting expenses are reimbursable at headquarters and/or residence. An employee whose travel does not include travel through headquarters shall be reimbursed for all mileage. An employee whose travel does include travel through headquarters shall be reimbursed for all mileage in excess of commuting mileage. All travel must be by the most direct route.
- b) "Travel through headquarters" is defined as:  
Any travel to or through the corporate city limits of the employee's designated headquarters, regardless of whether the employee made a stop at the work site or changed vehicles or modes of transportation. Examples of reimbursable mileage expenses are as follows:  
  - 1) Residence/Lincoln -- Headquarters/Springfield. Employee drives from residence in Lincoln to Chicago and returns to residence. Reimbursement is for all mileage because the travel was not to or through headquarters.
  - 2) Residence/Lincoln -- Headquarters/Springfield. Employee drives from residence in Lincoln to Collinsville and back to residence. Reimbursement is for all mileage in excess of commuting mileage. The travel, by the most direct route, was through headquarters.
  - 3) Residence/Carbondale -- Headquarters/Marion. Employee drives from residence to headquarters. Later, employee drives from headquarters to Anna and back to residence. Reimbursement is



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- for all mileage in excess of commuting mileage.
- 4) Residence/Evanston -- Headquarters/JRTC, Chicago. Employee drives from residence to McCormick Place for an event. After the event, the employee drives to headquarters, then to residence. Reimbursement is for all mileage in excess of commuting mileage because the travel was through headquarters.
- 5) Residence/Chicago -- Headquarters/JRTC, Chicago. Employee normally commutes to work by train. However, in order to attend a meeting at another location, the employee drives from residence to headquarters, then to the meeting location, then returns to headquarters and back to residence. Reimbursement is for all mileage in excess of commuting mileage. The fact that the employee normally rides the train to work has no effect on determining reimbursement.

- d) Agencies are responsible for monitoring claims under this Section.

(Source: Added at 18 Ill. Reg. 36, effective JAN 01 1995)

## Section 2800.240 Preparation and Submission of Travel Vouchers

All claims for the reimbursement of travel expenses shall be submitted on authorized reimbursement forms (Form C-10) and shall be itemized in accordance with this Part.

- a) The purpose of the travel shall be indicated on the travel vouchers.
- b) Travel outside the contiguous United States requires the approval of the Director of the Department of Central Management Services prior to such travel. All requests shall be submitted at least 30 days in advance of the departure date. Requests shall be in writing with approval/disapproval based on necessity. No show necessary. The Agency Head must describe how the travel relates to a function of the agency. Must state why the particular individuals were selected, must verify that the least costly reasonable means to travel was selected and must personally sign the request. Unless the travel is directly non-essential or clearly excessive as to cost, approval will be given.
- be) When applicable, the travel voucher shall show in the space provided the dates and times of travel, the points of departure and destination, the mode of transportation, the cost of the transportation secured, lodging, meals per diem and other expenses.
- cd) If meals or per diem are not claimed, times of arrival and departure are not required.
- de) When a privately owned vehicle is used, the travel voucher shall show, at minimum, commuting mileage (if applicable), the dates, points of travel and mileage. If the distance traveled between any given points is greater than the usual route between these points shown on a road map, the reason for the greater distance shall be explained and detailed separately.
- ef) Travel vouchers shall be supported by receipts in all instances for

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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railroad and airplane transportation, lodging, taxis, and all other items in excess, individually, of \$10.00 except for meals.

- fg) The travel expense voucher shall be prepared in ink or typewritten. All copies of the voucher shall be signed in ink by the individual who has incurred the expense and his/her supervisor.

(Source: Amended at 18 Ill. Reg. 36, effective JAN 01 1995)

## Section 2800.260 Items Directly Billed

- a) Agency Heads shall keep billing of travel expenses directly to the State to the least extent possible. The Government Credit Charge Card system specified under Section 2800.230 should be implemented to achieve this.

- b) Employees may not be reimbursed for items billed directly to the State. Such direct billed items shall be indicated on the travel voucher along with all reimbursable items. All columns of travel vouchers are to be totaled and cross-footed. The direct-billed total will then be deducted from the cross-footed total with the balance being the amount to be reimbursed to the employee. In all such cases supporting documentation shall also be attached if available. For transportation expenses billed directly, a copy of the State of Illinois Transportation Request form shall be attached to the invoice voucher (Form C-13). For lodging expenses billed directly, room, tax, hotel parking and business phone calls only shall be accepted. However, charges for business phone calls must be noted as such on the invoice voucher (Form C-13). Charges for phone service in a room which are automatically added to the bill by the hotel may also be direct billed. Any charges in excess of the allowable lodging rate specified in the Reimbursement Schedule (found in the rules of the Travel Regulation Council) or for restaurants, room services, personal telephone calls and other expenses shall be paid by the traveler upon check-out. Such expenses shall not be deducted from the traveler's reimbursement in exchange for direct billing. Meal and incidental expenses shall not be billed directly to the State. Such expenses shall not be in excess of the maximums allowed.

(Source: Amended at 18 Ill. Reg. 36, effective JAN 01 1995)

## SUBPART F: MISCELLANEOUS RULES

## Section 2800.600 Lack of Receipts

If receipts required pursuant to subsection 2800.240(ef) are not available, a typed statement signed by the traveler certifying the amounts paid will be accepted.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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(Source: Amended at 18 Ill. Reg. 36, effective  
JAN 01 1995)

## SUBPART G: EXCEPTIONS TO THE RULES

## Section 2800.700 Special Exceptions - Requested In Advance

- a) Exceptions to the operation of specific provision of this Part may be granted in advance by the Director of the Department of Central Management Services when necessary to meet special or unavoidable circumstances and when in the best interest of the State. Exceptions are to be requested in writing by the Agency Head and submitted sufficiently in advance to allow meaningful consideration. These exceptions are granted to specific individuals or specified groups of individuals in a single agency.
- b) Travel outside the contiguous United States requires the approval of the Director of the Department of Central Management Services prior to such travel. All requests shall be submitted at least 30 days in advance of the departure date. Requests shall be in writing with approval/disapproval based on necessity. To show necessity, the Agency Head must describe how the travel relates to a function of the agency, must state why the particular individuals were selected, must verify that the least costly reasonable means of travel was selected and must personally sign the request. Unless the travel is patently nonessential or clearly excessive as to cost, approval will be given.

(Source: Amended at 18 Ill. Reg. 36, effective  
JAN 01 1995)

## DEPARTMENT OF FINANCIAL INSTITUTIONS

## NOTICE OF ADOPTED AMENDMENT(S)

- 1) Heading of the Part: Consumer Installment Loan Act
- 2) Code Citation: 38 Ill. Adm. Code 110
- 3) Section Number: Amended Action:  
110.40 Amendment  
110.90 Amendment
- 4) Statutory Authority: Implementing and authorized by the Consumer Installment Loan Act [205 ILCS 670]
- 5) Effective Date of Amendments: December 22, 1994
- 6) Does this Rulemaking Contain an Automatic Repeal Date? No
- 7) Does this Rulemaking Contain Incorporations by Reference? No
- 8) Date filed in Agency's Principal Office: December 20, 1994
- 9) Notice of Proposal Published in Illinois Register: September 23, 1994, 18 Ill. Reg. 14271
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version: All changes were typographical or style changes requested by either the Administrative Code Division or the Joint Committee on Administrative Rules.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this Proposed Rule Replace an Emergency Rule Currently in Effect? No
- 14) Are there Any Other amendments Pending on this Part? No
- 15) Summary and Purpose of Amendments: The adopted amendments are designed to authorize licensees to use emerging technologies for maintaining and storing records. The Department continues the requirement that prior written approval must be obtained prior to implementing any new system.
- 16) Information and questions regarding this adopted amendment shall be directed to:  
M. Rose Kelly  
Chief Legal Counsel  
Department of Financial Institutions  
100 W. Randolph, 15-700  
Chicago, Illinois 60601



## DEPARTMENT OF FINANCIAL INSTITUTIONS

## NOTICE OF ADOPTED AMENDMENT(S)

(312) 814-2008

The full text of the adopted amendments begins on the next page:

## DEPARTMENT OF FINANCIAL INSTITUTIONS

## NOTICE OF ADOPTED AMENDMENT(S)

## TITLE 38: FINANCIAL INSTITUTIONS

## CHAPTER I: DEPARTMENT OF FINANCIAL INSTITUTIONS

## PART 110

## CONSUMER INSTALLMENT LOAN ACT

## Section

## Definitions

110.1 Minimum Requirements for Office Records

110.10 Loan Register

110.20 Individual Account Records

110.30 File of Original Papers

110.40 Cash Book

110.50 Alphabetical Record of Borrowers, Endorsers, Co-Makers, Obligors or

110.60 Sureties

110.70 Payments

110.80 Simple Interest Loans

110.90 Cancellation and Return of Documents

110.100 Finance Charges - Rebates and Delinquency Charges

110.110 Hypothecation of Borrower's Notes

110.120 Legal Forms

110.130 Judgments

110.140 Sale of Security

110.150 Trouble File

110.160 Lien Charges

110.170 Insurance

110.180 Office and Office Hours

110.190 Advertising

110.200 Other Business

110.210 Communications and Remittances

110.220 Credit Practices

110.230 General

110.240 Hearing Procedures

## TABLE A

Illinois Rule of 78 Fraction for Rebating Charges According to  
Number of Months Originally Contracted For and Number of Months

Prepaid in Full for Contracts of 2 to 120 Months

Rule of 78 Percentage Rebate Table

## TABLE B

Implementing and authorized by the Consumer Installment Loan Act  
[205 ILCS 670].

SOURCE: Filed and effective June 19, 1970; amended at 3 Ill. Reg. 24, p. 16, effective June 15, 1979; emergency amendment at 4 Ill. Reg. 5, p. 372, effective January 16, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 36, p. 138, effective September 22, 1980; amended at 5 Ill. Reg. 1352, effective February 3, 1981; codified at 7 Ill. Reg. 11721; amended at 9 Ill. Reg. 1343, effective January 17, 1985; amended at 11 Ill. Reg. 2749, effective January 28, 1987; emergency amendment at 11 Ill. Reg. 14111, effective January 28, 1987.

## DEPARTMENT OF FINANCIAL INSTITUTIONS

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7, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 10456, effective June 7, 1988; amended at 18 Ill. Reg. 44, effective 1/1

DEC 20 1994

## Section 110.40 File of Original Papers

## a) Files

1) A separate file (such as an envelope or folder) shall be maintained for each borrower and shall contain the note, security agreement, or financing statement, wage assignment, acknowledged copy of the disclosure statement of loan, a separately signed statement indicating the borrower has received a copy of right to rescind (if required), or waiver, if any, and all other evidence of indebtedness or security pertaining to the loan, except when said documents are in the custody of a court or of an agent for collection, or are hypothecated as herein provided. Evidence of disclosure must be retained for two years from the date of the loan. Where prior written approval has been obtained from the Department, a licensee may maintain these files in any medium or format which accurately reproduces original documents or papers.

2) When a borrower is also a co-maker, guarantor, obligor or endorser on another loan, the file of such borrower shall be cross-referenced to the other, unless such cross-reference is included on the alphabetical record required by Section 110.60. Other papers relating to the borrower or his loan may be kept in the same or a separate file in the same office.

b) All legal instruments bearing evidence of indebtedness taken in connection with a loan and executed by a borrower including the disclosure statement of loan must bear the loan number.

c) No licensees shall take any instruments in which the blanks are not filled in completely before the proceeds of the loan are delivered. All spaces or sections not used in the preparation of legal documents shall be ruled out or designated as "none".

d) The name and address of the licensee making the loan must appear on any note, wage assignment, security agreement or other legal instrument taken from a borrower, before the proceeds of the loan are delivered.

(Source: Amended at 18 Ill. Reg. 44, effective DEC 20 1994)

## Section 110.90 Cancellation and Return of Documents

All original legal documents executed by the borrower bearing evidence of indebtedness shall be cancelled and returned to the borrower promptly following the renewal or paid in full date. Where prior written approval has been obtained from the Department and original documents are not available, a

## DEPARTMENT OF FINANCIAL INSTITUTIONS

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licensee shall substitute copies reproduced from any medium or format which accurately reproduces the original documents. On renewal, continuing security agreements may be retained until subsequent loans are paid in full. If an executed copy of a legal document is retained following payment in full or renewal, to comply with "Truth in Lending" it must be clearly marked "PAID", "CANCELLED" or "RENEWED", indicating the date of payment or renewal. Copies clearly identified with the legend "COPY NOT NEGOTIABLE", or similar language, may be used in lieu of this requirement.

(Source: Amended at 18 Ill. Reg. 44, effective DEC 20 1994)



## DEPARTMENT OF FINANCIAL INSTITUTIONS

## NOTICE OF ADOPTED AMENDMENTS(S)

- 1) Heading of the Part: Sales Finance Agency Act
- 2) Code Citation: 38 Ill. Adm. Code 160
- 3) Section Number: Adopted Action:
  - 160.10 Amendment
  - 160.40 Amendment
  - 160.90 Amendment
- 4) Statutory Authority: Implementing and authorized by the Sales Finance Agency Act [205 ILCS 660]
- 5) Effective Date of Amendments: December 22, 1994
- 6) Does this Rulemaking Contain an Automatic Repeal Date? No
- 7) Does this Rulemaking Contain Incorporations by Reference? No
- 8) Date filed in Agency's Principal Office: December 20, 1994
- 9) Notice of Proposal Published in Illinois Register: September 23, 1994, 18 Ill. Reg. 14276
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Differences between proposal and final version: All changes were typographical or style changes requested by either the Administrative Code Division or the Joint Committee on Administrative Rules.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this Proposed Rule Replace an Emergency Rule Currently in Effect? No
- 14) Are there Any Other amendments Pending on this Part? No
- 15) Summary and Purpose of Amendments: The adopted amendments are designed to authorize licensees to use emerging technologies for maintaining and storing records. The Department continues the requirement that written approval must be obtained prior to implementing any new system.
- 16) Information and questions regarding this adopted amendment shall be directed to:

## DEPARTMENT OF FINANCIAL INSTITUTIONS

## NOTICE OF ADOPTED AMENDMENTS(S)

M. Rose Kelly  
 Chief Legal Counsel  
 Department of Financial Institutions  
 100 W. Randolph, 15-700  
 Chicago, Illinois 60601  
 (312) 814-2008

The full text of the adopted amendments begins on the next page:

## DEPARTMENT OF FINANCIAL INSTITUTIONS

## NOTICE OF ADOPTED AMENDMENTS(S)

## TITLE 38: FINANCIAL INSTITUTIONS

## CHAPTER I: DEPARTMENT OF FINANCIAL INSTITUTIONS

## PART 160

## SALES FINANCE AGENCY ACT

## Section

160.10 Minimum Requirements for Office Records  
 160.20 Transaction Register  
 160.30 Individual Account Cards  
 160.40 File of Original Papers  
 160.50 Cash Book  
 160.60 Alphabetical Records of Buyers, Co-Purchasers and Obligors  
 160.70 Payments  
 160.80 Delinquency Charges (Default Charges)  
 160.90 Cancellation and Return of Documents  
 160.100 Extensions--Renewals--Rebates  
 160.110 Hypothecation of Security Instruments  
 160.120 Legal Forms  
 160.130 Judgments  
 160.140 Sale of Security  
 160.150 Trouble File  
 160.160 Lien Charges  
 160.170 Insurance  
 160.180 Office and Office Hours  
 160.190 Advertising  
 160.200 Business Source and Affiliates  
 160.210 Communications and Remittances  
 160.220 Credit Practices  
 160.230 General

AUTHORITY: Implementing and authorized by Section 8(9) of the Sales Finance Agency Act [205 ILCS 660/8(9)].

SOURCE: Filed September 21, 1970; amended at 5 Ill. Reg. 1358, effective February 3, 1981; codified at 7 Ill. Reg. 11728; amended at 9 Ill. Reg. 1370, effective January 17, 1985; amended at 12 Ill. Reg. 17844, effective October 24, 1988; amended at 18 Ill. Reg. 49, effective DEC 20 1994.

## Section 160.10 Minimum Requirements for Office Records

- a) Every licensee shall keep the following records or their equivalent:
- 1) Transaction register.
  - 2) Individual accounts cards of all obligors.
  - 3) File of all original papers or, where prior written approval has been obtained from the Department, copies which have been reproduced in any medium or format which accurately reproduces

## DEPARTMENT OF FINANCIAL INSTITUTIONS

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the original papers.

- 4) Cash Book.
- 5) Alphabetical record of all buyers, co-purchasers, and obligors on all obligations.
- b) Records pertaining to the conduct of business regulated by the Sales Finance Agency Act shall be kept at the licensed office, separate or readily identifiable from other types of business conducted in the office of the licensee. Combination forms and special systems may be used if in accordance with standard accounting procedures.
- c) The term "Licensee" as used herein, except as may be excluded by Section 17 of the Act, shall include those licensed under the provisions of the Sales Finance Agency Act and those engaged in the business of a Sales Finance Agency in this State and not required to be licensed as a Sales Finance Agency.
- d) The terms "transaction" and "contract" as used herein shall be synonymous with Retail Charge Agreement, Retail Installment Contract, and loans secured by Retail Installment Contracts, retail charge accounts or the outstanding balances under such contracts or agreements.

(Source: Amended at 18 Ill. Reg. 49 effective DEC 20 1994)

## Section 160.40 File of Original Papers

- a) A separate file (such as an envelope or folder) shall be maintained for each obligor. Each such file shall contain the contract, security agreement or financing statement, wage assignment, evidence of compliance with the requirements of the Federal Consumer Credit Protection Act (15 U.S.C. 1601 et seq.) and all other instruments which are evidence of indebtedness or security pertaining to the transaction, except when said documents are in the custody of a court or of an agent for collection, or are hypothecated as herein provided. Other papers relating to the obligor or his debt may be kept in the same or a separate file in the same office. Where prior written approval has been obtained from the Department, a licensee may maintain these files in any medium or format which accurately reproduces original documents or papers.
- b) All legal instruments bearing evidence of indebtedness taken in connection with a transaction and executed by an obligor, including a copy of The Disclosure Statement, if a separate instrument, must bear the transaction number.
- c) Except for the account number, no licensees shall take the assignment or purchase of any instruments in which the blanks are not filled in completely. All spaces or sections not used in the preparation of legal documents shall be ruled out or designated as "none".
- d) The name and address of the original seller must be incorporated into or appear on all legal instruments taken from an obligor and acquired



## DEPARTMENT OF FINANCIAL INSTITUTIONS

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by licensee.

(Source: Amended at 18 Ill. Reg. 49 effective  
DEC 20 1994)

## Section 160.90 Cancellation and Return of Documents

All original legal documents executed by the obligor bearing evidence of indebtedness shall be cancelled and returned to the obligor promptly following the renewal or paid in full date. Where prior written approval has been obtained from the Department and original documents are not available, a licensee shall substitute copies reproduced from any medium or format which accurately reproduces the original documents. Continuing security agreements may be retained until subsequent debts are paid in full. If an executed copy of a legal document is retained following payment in full or renewal, to comply with "Truth In Lending" it must be clearly marked, "PAID", "CANCELLED" or "RENEWED", indicating the date of payment or renewal. Copies clearly identified with the legend "COPY NOT NEGOTIABLE" or similar language, may be used in lieu of this requirement.

(Source: Amended at 18 Ill. Reg. 49 effective  
DEC 20 1994)

## SECRETARY OF STATE

## NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Procedures and Standards
- 2) Code Citation: 92 Ill. Adm. Code 1001
- 3) Section Numbers:

1001.600	New Section
1001.610	New Section
1001.620	New Section
1001.630	New Section
1001.640	New Section
1001.650	New Section
1001.660	New Section
1001.670	New Section
1001.680	New Section
1001.690	New Section

Emergency Action:
- 4) Statutory Authority: Authorized by Sections 2-104 and 11-501.8 of the Illinois Vehicle Code (625 ILCS 5/2-104, 11-501.8).
- 5) Effective Date: January 1, 1995.
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire. This emergency amendment will expire with the adoption of proposed amendments at the end of the regular rulemaking process.
- 7) Date filed in Agency's Principal Office: December 14, 1994.
- 8) Reason for Emergency: The subject regulations are necessary to set forth the hearing procedures to be followed pursuant to drivers license suspensions under Public Act 88-0588, effective January 1, 1995, until regular rulemaking is effective.
- 9) A Complete Description of the Subjects and Issues Involved: This Rule sets forth the hearing procedures for petitioners under the age of 21 who wish to contest or seek restricted driving permits while under suspension for operating a motor vehicle with any amount of alcohol in their system.
- 10) Are there any proposed amendments to this Part pending? No.
- 11) Statement of Statewide Policy Objectives: These proposed amendments will not require local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Information and questions regarding this emergency amendment shall be directed to:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENTS

Jay L. Mesri, Senior Legal Advisor  
Department of Administrative Hearings  
200 Howlett Building  
Springfield, Illinois 62756

The full text of the emergency amendment begins on the next page:

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NOTICE OF EMERGENCY AMENDMENTS

TITLE 92: TRANSPORTATION  
CHAPTER II: SECRETARY OF STATE

PART 1001

PROCEDURES AND STANDARDS

SUBPART A: FORMAL ADMINISTRATIVE HEARINGS

Section	
1001.10	Applicability
1001.20	Definitions
1001.30	Right to Counsel
1001.40	Appearance of Attorney
1001.50	Special Appearance
1001.60	Substitution of Parties
1001.70	Commencement of Actions; Notice of Hearing
1001.80	Motions
1001.90	Form of Papers
1001.100	Conduct of Formal Hearings
1001.110	Orders
1001.120	Record of Hearings
1001.130	Invalidity

SUBPART B: ILLINOIS SAFETY RESPONSIBILITY HEARINGS

Section	
1001.200	Applicability
1001.210	Definitions
1001.220	Hearings; Notice; Locations; Procedures; Record
1001.230	Rules of Evidence
1001.240	Scope of Hearings
1001.250	Decisions and Orders
1001.260	Rehearings
1001.270	Judicial Review
1001.280	Invalidity

SUBPART C: RULES ON THE CONDUCT OF INFORMAL HEARINGS  
IN DRIVERS LICENSE SUSPENSIONS AND REVOCATIONS

Section	
1001.300	Applicability
1001.310	Definitions
1001.320	Right to Representation
1001.330	Record and Reports
1001.340	Location of Hearings
1001.350	Duties and Responsibilities
1001.360	Decisions
1001.370	Invalidity

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**SUBPART D: STANDARDS FOR THE GRANTING OF RESTRICTED DRIVING PERMITS, REINSTATEMENT, AND THE TERMINATION OF CANCELLATIONS OF DRIVING PRIVILEGES BY THE OFFICE OF THE SECRETARY OF STATE**

Section 1001.400 Applicability  
1001.410 Definitions  
1001.420 General Provisions Relating to the Issuance of Restricted Driving Permits  
1001.430 General Provisions for Reinstatement of Driving Privileges after Revocation  
1001.440 Provisions for Alcohol and Drug Related Revocations, Suspensions, and Cancellations Pursuant to Sections 6-205(a)2, 6-205(d), 6-206(a)1, 6-206(a)6, 6-206(a)17, 6-206(a)24, 6-206(a)31, 6-201, 6-203, 6-203.1 and 11-501.1  
1001.441 Breath Alcohol Ignition Interlock Device Pilot Program  
1001.442 Manufacturer's Responsibilities; Approval for Analyzing Alcohol Content of Breath; DPH Inspections; Disqualification of a Manufacturer; Designation and Assignment of Regions  
1001.443 Installers' Responsibilities; Initial Certification, Renewal, Termination, Revocation and Denial of Installer Certification  
1001.450 New Hearings  
1001.460 Requests for Modification of Revocations and Suspensions  
1001.470 Renewal, Correction and Cancellation of RDP's  
1001.480 Unsatisfied Judgment Suspensions  
1001.485 Reinstatement Application Based Upon Issuance of Drivers License in a State Which is a Member of the Driver License Compact  
1001.490 Invalidity

## SUBPART E: FORMAL MEDICAL HEARINGS

Section 1001.500 Applicability  
1001.510 Definitions  
1001.520 Procedure  
1001.530 Conduct of Medical Formal Hearings  
1001.540 Subsequent Hearings

**SUBPART F: ZERO TOLERANCE SUSPENSION OF DRIVING PRIVILEGES; PERSONS UNDER THE AGE OF 21 YEARS; IMPLIED CONSENT HEARINGS; RESTRICTED DRIVING PERMITS**

1001.600 Applicability  
EMERGENCY  
1001.610 Definitions  
EMERGENCY  
1001.620 Burden of Proof  
EMERGENCY

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## NOTICE OF EMERGENCY AMENDMENTS

1001.630 Implied Consent Hearings; Religious Exception  
EMERGENCY  
1001.640 Implied Consent Hearings; Medical Exception  
EMERGENCY  
1001.650 Rebuttable Presumption  
EMERGENCY  
1001.660 Alcohol and Drug Education and Awareness Program  
EMERGENCY  
1001.670 Petitions for Restricted Driving Permits  
EMERGENCY  
1001.680 Form and Location of Hearings  
EMERGENCY  
1001.690 Invalidity  
EMERGENCY

**APPENDIX A BAID Regions and Minimum Installation/Service Center Site Location Guidelines**

**AUTHORITY:** Subpart A implementing Sections 2-113, 2-118, 6-205, 6-206 and 6-108 and authorized by Sections 2-103 and 2-104 of the Illinois Vehicle Code [625 ILCS 5/2-103, 2-104, 2-113, 2-118, 6-108, 6-205 and 6-206]. Subpart B implementing Chapter 7 and authorized by Sections 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101 of the Illinois Vehicle Code [625 ILCS 5/2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and Ch. 7]. Subpart C implementing Sections 6-205(c) and 6-203(c)3 and authorized by Sections 2-103 and 2-104 of the Illinois Vehicle Code [625 ILCS 5/2-103, 2-104, 6-205(c) and 6-206(c)3]. Subpart D authorized by Sections 2-104 and 11-501 of the Illinois Vehicle Code and implementing Sections 6-103, 6-205(c), 6-206(c)3, and 6-208 of the Illinois Vehicle Code [625 ILCS 5/2-104, 6-103, 6-205(c), 6-206(c)3, 6-208, and 11-501]. Subpart E implementing Sections 6-906, 6-908, 2-113, 2-118, 2-123, 6-103 and 6-201 and authorized by Sections 2-103, 2-104, 6-906 and 6-909 of the Illinois Vehicle Code [625 ILCS 5/2-103, 2-104, 2-113, 2-118, 2-123, 6-103, 6-201, 6-906, 6-908, 6-909]. Subpart F implementing Sections 6-208.2, 11-501.1, 11-501.8, 2-113 and 2-118 and authorized by Sections 2-103, 2-104 and 11-501.8 of the Illinois Vehicle Code [625 ILCS 5/2-103, 2-104, 2-113, 2-118, 6-208.2, 11-501.1, 11-501.8].

**SOURCE:** Adopted and codified at 7 Ill. Reg. 7501, effective June 17, 1983; amended at 8 Ill. Reg. 4220, effective April 1, 1984; emergency amendment at 9 Ill. Reg. 17030, effective October 18, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 4558, effective March 18, 1986; amended at 11 Ill. Reg. 17944, effective October 15, 1987; amended at 13 Ill. Reg. 15803, effective October 1, 1989; amended at 14 Ill. Reg. 2601, effective February 15, 1990; amended at 14 Ill. Reg. 16041, effective October 1, 1990; emergency amendment at 16 Ill. Reg. 19926, effective December 8, 1992, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 2047, effective January 27, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 6274, effective May 1, 1993; amended at 17 Ill. Reg. 8528, effective June 1, 1993; emergency amendment at 18 Ill. Reg.



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7916, effective May 10, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 15127, effective September 21, 1994; emergency amendment at 19 Ill. Reg. 54, effective January 1, 1995, for a maximum of 150 days.

SUBPART F: ZERO TOLERANCE SUSPENSION OF DRIVING PRIVILEGES; PERSONS UNDER THE AGE OF 21 YEARS; IMPLIED CONSENT HEARINGS; RESTRICTED DRIVING PERMITS

Section 1001.600 Applicability  
EMERGENCY

This Subpart applies to any hearing conducted pursuant to Section 11-501.8 of the Illinois Vehicle Code, hereinafter referred to as the Code (625 ILCS 5/11-501.8).

(Source: Emergency rule added at 19 Ill. Reg. 54, effective January 1, 1995, for a maximum of 150 days)

Section 1001.610 Definitions  
EMERGENCY

All of the definitions contained in Subparts A, C, and D shall apply where applicable.

"drugs" means drugs as defined in Section 3 of the Pharmacy Practice Act of 1987 [225 ILCS 85/3].

"independent source" means a parent, legal guardian, person in loco parentis, spouse, roommate of the petitioner, or member of the clergy or the religious organization in question, all of whom must have firsthand knowledge of the matters verified.

"medical or pharmacological expert" means a person licensed under the Medical Practice Act of 1987 [225 ILCS 60/], or similar law of another jurisdiction, to practice medicine in all of its branches, or a person licensed under the Pharmacy Practice Act of 1987 [225 ILCS 85/], or similar law of another jurisdiction, or any laboratory certified by the Illinois Department of Public Health pursuant to 77 Ill. Adm. Code 510.120.

"medicine" means and includes all drugs intended for human use approved by the United States Food and Drug Administration.

"recommended dosage" means the strength, quantity and frequency of use of the medicine as recommended by a medical or pharmacological expert, or as set forth by the label directions or other packaging information for over-the-counter medicines.

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"religious service or ceremony" means the coming together of a group of persons with the same or similar religious beliefs for the purpose of exercising those beliefs.

(Source: Emergency rule added at 19 Ill. Reg. 54, effective January 1, 1995, for a maximum of 150 days)

Section 1001.620 Burden of Proof  
EMERGENCY

The petitioner carries the burden of proof at all proceedings brought pursuant to Section 11-501.8 of the Code. The standard of proof is by the preponderance of the evidence, except as set forth in Section 1001.650 of this Subpart F. The petitioner must carry this burden of proof on each and every issue contested at the implied consent hearing.

(Source: Emergency rule added at 19 Ill. Reg. 54, effective January 1, 1995, for a maximum of 150 days)

Section 1001.630 Implied Consent Hearings; Religious Exception  
EMERGENCY

A petitioner who asserts that his/her alcohol concentration of more than 0.00 was the result of his/her consumption of alcohol in the performance of a religious service or ceremony must prove at a minimum:

- a) the attendance of, and the petitioner's use of alcohol at, a religious service or ceremony within a reasonably recent period of time before the issuance of the traffic citation which led to the request to submit to the chemical test; the type and amount of alcohol consumed by the petitioner at the religious service or ceremony; the time and location of the service or ceremony; and whether the petitioner consumed any other alcohol prior to or after the religious service or ceremony.

The evidence on these matters must be submitted in the form of written verification or testimony from at least two (2) independent sources. The petitioner's self-report will not be considered dispositive; and that alcohol is used in the regular course of the type of religious service or ceremony attended by the petitioner; the purpose of the alcohol in the religious ritual; the type and amount of alcohol regularly used at said service or ceremony.

The evidence on these matters must be submitted in the form of written verification or testimony from a member of the clergy or the governing body of the religious denomination whose service or ceremony the petitioner claims he/she had attended before the issuance of the traffic citation.

(Source: Emergency rule added at 19 Ill. Reg. 54, effective January 1, 1995, for a maximum of 150 days)

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**Section 1001.640 Implied Consent Hearings; Medical Exception****EMERGENCY**

a) A petitioner who asserts that his/her alcohol concentration of more than 0.00 was the result of his/her ingestion of medicine that contained alcohol which was prescribed or recommended by a person licensed to prescribe or distribute medications must prove at a minimum:

1) that the medicine was ingested within a reasonably recent period of time before the issuance of the traffic citation which led to the request to submit to the chemical test and that the medicine was ingested according to the prescribed or recommended dosage. The evidence on these matters may be submitted in the form of the petitioner's self-report. However, if the medicine was prescribed or recommended to be ingested over an extended period of time, in other words, for more than two (2) days, then the evidence of the petitioner's ingestion of the medicine must be submitted in the form of written verification or testimony from at least one (1) independent source; and

2) that the medicine ingested by the petitioner was prescribed or recommended by a person properly licensed to prescribe medications; that the medicine was prescribed or recommended to the petitioner; that the medicine was prescribed or recommended to the petitioner at the time of the issuance of the traffic citation which led to the request to submit to the chemical test; the prescribed or recommended dosage for the petitioner; the alcohol content of the dosage; and the duration of the prescription and/or the time frame within which the medicine was prescribed or recommended.

The evidence on these matters must be submitted in the form of written verification or testimony from the person who prescribed or recommended the medicine to the petitioner.

b) A petitioner who asserts that his/her alcohol concentration of more than 0.00 was the result of his/her ingestion of over-the-counter medicine that contained alcohol and was not prescribed or recommended by a person licensed to prescribe or distribute medications must prove:

1) why the petitioner was using the medication at the time in question; that the ingestion of the medicine was consistent with the recommended dosage stated on the packaging label and other information which is enclosed with the medicine; and that the medicine was ingested within a reasonably recent period of time before the issuance of the traffic citation which led to the request to submit to the chemical test. The evidence on these matters may be submitted in the form of the petitioner's self-report; and

2) what the recommended dosage was; and the alcohol content of the recommended dosage. The evidence on these matters must, at a

## SECRETARY OF STATE

## NOTICE OF EMERGENCY AMENDMENTS

minimum, be submitted in the form of copies of the packaging label and other information enclosed with the medicine at issue.

(Source: Emergency rule added at 19 Ill. Reg. 54, effective January 1, 1995, for a maximum of 150 days)

**Section 1001.650 Rebuttable Presumption****EMERGENCY**

a) It is presumed that any petitioner who registers a BAC which is 0.02 or more, at the time of the arrest in question, will not be considered as an exception under paragraph (e) of Section 11-501.8 of the Code. Any petitioner who claims the religious or medical exception under these circumstances must rebut the presumption with clear and convincing evidence.

b) Such evidence shall include, but not be limited to, the following:

1) the evidentiary requirements of Sections 1001.630 and 1001.640 of this Subpart F; and

2) written verification or testimony from a medical or pharmacological expert which must include, at a minimum, the following information:

A) what, if any, alcohol concentration the alcohol, used in a religious ceremony, or medicine, taken in its prescribed or recommended dosage, would produce in the petitioner's blood or breath within the time frame of first ingestion to the time of the taking of the BAC test, given the petitioner's body weight at the time of the issuance of the traffic citation; and

B) given the BAC reading of the petitioner following the arrest in question, what dosage or amount of alcohol/medicine would have to be ingested by the petitioner to achieve such a reading; and

C) how the expert determined or formulated the above opinions, i.e., what formulae, treatises, or other sources were used.

c) In determining if the petitioner presented clear and convincing evidence to rebut the presumption that the exception does not apply, the Secretary will consider all of the evidence presented as well as treatises and reference manuals used and/or written by forensic scientists on the subject of the pharmacological and toxicological aspects of the ingestion of ethyl alcohol.

(Source: Emergency rule added at 19 Ill. Reg. 54, effective January 1, 1995, for a maximum of 150 days)

**Section 1001.660 Alcohol and Drug Education and Awareness Program****EMERGENCY**

a) Prior to consideration of the issuance of an RDP, any and whose



SECRETARY OF STATE

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driving privileges and driver's license are suspended under Section 11-501.8 of the Code must complete the Secretary of State alcohol/drug education awareness program (program), and successfully complete a questionnaire prepared by the Secretary of State.

b) The program content will be set out in a Secretary of State publication (publication) which shall include, but not be limited to, information regarding the following areas:

- 1) The Zero Tolerance law and its affect upon driving privileges;
- 2) The DUI law and its affect upon driving privileges;
- 3) Other laws relating to the use/possession of alcohol by those under the age of twenty-one (21);
- 4) Alcohol as a drug;
- 5) Effects of alcohol and drugs on drivers, with emphasis on the youthful driver;
- 6) Social processes that influence drinking;
- 7) Physiological and pharmacological effects of alcohol and other drugs including their residual impairment on normal levels of driving performance;
- 8) Statistics regarding crashes involving alcohol/drugs;
- 9) Prevention of alcohol/drug related problems;
- 10) Other areas deemed appropriate.

c) The publication may be obtained only by contacting the Secretary of State, Department of Administrative Hearings, in advance of the hearing. The publication will be sent to the petitioner, who must review it prior to any hearing for an RDP.

d) Prior to the hearing for an RDP, the petitioner will be required to complete a questionnaire. It will contain questions regarding information contained in the publication, and any other information deemed appropriate by the Secretary. The questions forming the questionnaire will be selected from a pool of questions, and will be changed from time to time. The petitioner must answer seventy-five percent (75%) of the questions correctly in order to successfully complete the questionnaire.

e) Driving relief will not be granted until the petitioner successfully completes the questionnaire. If the petitioner does not successfully complete it, the petitioner must review the publication and may retake the questionnaire no sooner than the following day.

f) Once the petitioner successfully completes the questionnaire, the hearing for the RDP will proceed as in any other hearing for an RDP.

(Source: Emergency rule added at 19 Ill. Reg. 54, effective January 1, 1995, for a maximum of 150 days)

Section 1001.670 Petitions for Restricted Driving Permits

EMERGENCY

a) Petitioners who apply for a restricted driving permit pursuant to paragraph (e) of Section 11-501.8 of the Code must submit to an

SECRETARY OF STATE

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investigative alcohol/drug evaluation, as defined in Section 1001.400 of Subpart D of this Part, as part of the Secretary's investigative process, when the evidence indicates that:

1) the petitioner submitted to the requested chemical test and registered an alcohol concentration between 0.05 and less than 0.10; or

2) the petitioner may be a user of alcohol or any other drug to a degree which renders him/her incapable of safely driving a motor vehicle (see Section 6-103.4 of the Code).

b) Petitioners who apply for a restricted driving permit pursuant to paragraph (e) of Section 11-501.8 of the Code must submit to an alcohol/drug evaluation uniform report, as defined in Section 1001.400 of Subpart D of this Part, as part of the Secretary's investigative process, when the evidence indicates that:

1) the petitioner submitted to the requested chemical test and registered an alcohol concentration of 0.10 or more; or

2) the petitioner's driving record reflects a DUI disposition, as defined in Section 1001.400 of Subpart D of this Part.

c) The petitioner is required to complete any recommended and/or required rehabilitative activity which pertains to the evaluation's classification of his/her use/abuse of alcohol/drugs or provide a written waiver thereof, prior to the issuance of any restricted driving permit.

(Source: Emergency rule added at 19 Ill. Reg. 54, effective January 1, 1995, for a maximum of 150 days)

Section 1001.680 Form and Location of Hearings

EMERGENCY

a) The implied consent hearings conducted pursuant to Section 11-501.8 of the Code (to contest the suspension) shall be conducted as formal hearings pursuant to Subpart A of this Part (92 Ill. Adm. Code 1001.501 Subpart A).

1) A request for an implied consent hearing conducted pursuant to Section 11-501.8 must be sent to one of the following four (4) locations:

A) Office of the Secretary of State, Dept. of Administrative Hearings, 17 North State Street, Suite 1200, Chicago, Illinois 60602, 312/793-3722.

B) Office of the Secretary of State, Dept. of Administrative Hearings, 605 Maple Road, 1st Floor, Joliet, Illinois 60432, 815/740-7171.

C) Office of the Secretary of State, Dept. of Administrative Hearings, Michael J. Howlett Bldg., Rm. 207, Springfield, Illinois 62756, 217/524-0124.

D) Office of the Secretary of State, Dept. of Administrative Hearings, 218 South 12th Street, Mount Vernon, Illinois



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62864, 618/242-8986.

- 2) The request must be in writing, preferably on a form supplied by the Secretary. In any event, it must contain, at a minimum, the petitioner's name, address, driver's license number, which of the above four locations would be preferred by the petitioner, and specify which issues the petitioner will raise at the hearing.
- 3) The hearing shall be held at a location designated by the Department. The factors that will be considered are, but not limited to: the venue of the citation issued; the location preferred by the petitioner; the location of the witnesses; including the police officer who issued the citation which led to the request to submit to the chemical test and the police officer who administered the test; the availability of a hearing location.
- b) The hearings on petitions for restricted driving permits conducted pursuant to Section 11-501.8 of the Code may be conducted as formal hearings, pursuant to Subpart A of this Part (92 Ill. Adm. Code 1001.Subpart A), or as informal hearings, pursuant to Subpart C of this Part (92 Ill. Adm. Code 1001.Subpart C), according to the preference of the petitioner.
- 1) Petitioners are encouraged, however, to begin the hearing process with an informal hearing.
- 2) If the petitioner requests a formal hearing to obtain a restricted driving permit, said formal hearing shall be held at one of the four locations set forth in subsection (a)(1) of this Section as designated by the petitioner.
- 3) Such a hearing may only be held within forty-five (45) days of the date that the Secretary may issue a permit as provided in Section 6-208.2 of the Code.
- 4) Every petitioner is required to bring a copy of his/her sworn report evidencing the suspension to any informal hearing.
- c) The implied consent hearings will be conducted separately from the hearings for restricted driving permits.

(Source: Emergency rule added at 19 Ill. Reg. 54, effective January 1, 1995, for a maximum of 150 days)

Section 1001.690 Invalidity  
EMERGENCY

If any part of these rules shall be held by a court of competent jurisdiction to be invalid, such holding shall not affect the remaining parts hereof.

(Source: Emergency rule added at 19 Ill. Reg. 54, effective January 1, 1995, for a maximum of 150 days)

## DEPARTMENT OF LABOR

## NOTICE OF PUBLIC HEARING ON PROPOSED REPEALER

- 1) Heading of the Part: Illinois Minimum Wage Law
- 2) Code Citation: 56 Ill. Adm. Code 200
- 3) Register Citation to Notice of Proposed Rules:  
18 Ill. Reg. 16770 (Nov. 27, 1994)
- 4) Date, Time and Location of Public Hearing:  
January 20, 1995  
10:00 A.M.  
Illinois Department of Labor  
160 North LaSalle St., Suite C-1300  
Chicago, Illinois 60601

5) Other Pertinent Information:

The hearing will be held for the sole purpose of gathering public comment on the proposed Repealer. Persons interested in presenting testimony at this hearing are advised that the Illinois Department of Labor will adhere to the following procedures in the conduct of the hearing:

1. No oral testimony shall exceed an aggregate of twenty (20) minutes.
2. Each person presenting oral testimony shall provide to the hearing officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony will be accepted without a written copy of the testimony being provided.
3. No person will be recognized to speak for a second time until all persons wishing to testify have done so.
4. In order to provide for a balanced presentation of views and to facilitate the orderly conduct of the hearing, the hearing officer may impose such other rules of procedure, including the order of call of witnesses, as h/she deems necessary.

6) Name and Address of Agency Contact Person:

Questions regarding the proposed Repealer or the public hearing shall be directed to:

Sharon Ballin, Chief Legal Counsel  
Illinois Department of Labor  
160 North LaSalle St., Suite C-1300  
Chicago, Illinois 60601

## DEPARTMENT OF LABOR

## NOTICE OF PUBLIC HEARING ON PROPOSED RULES

- 1) Heading of the Part: Minimum Wage Law
- 2) Code Citation: 56 Ill. Adm. Code 210
- 3) Register Citation to Notice of Proposed Rules:  
18 Ill. Reg. 16778 (Nov. 18, 1994)
- 4) Date, Time, and Location of Public Hearing:

Friday, January 20, 1995  
10:00 A.M.  
Illinois Department of Labor  
160 North LaSalle St., Suite C-1300  
Chicago, Illinois 60601

5) Other Pertinent Information:

The hearing will be held for the sole purpose of gathering public comment on the proposed Rules. Persons interested in presenting testimony at this hearing are advised that the Illinois Department of Labor will adhere to the following procedures in the conduct of the hearing:

1. No oral testimony shall exceed an aggregate of twenty (20) minutes.
2. Each person presenting oral testimony shall provide to the hearing officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony will be accepted without a written copy of the testimony being provided.
3. No person will be recognized to speak for a second time until all persons wishing to testify have done so.
4. In order to provide for a balanced presentation of views and to facilitate the orderly conduct of the hearing, the hearing officer may impose such other rules of procedure, including the order of call of witnesses, as h/she deems necessary.

6) Name and Address of Agency Contact Person:

Questions regarding these proposed Rules or the public hearing shall be directed to:

Sharon Ballin, Chief Legal Counsel  
Illinois Department of Labor  
160 North LaSalle St., Suite C-1300  
Chicago, Illinois 60601

## ILLINOIS AFFORDABLE HOUSING PROGRAM

## NOTICE OF PUBLIC INFORMATION

## ANNUAL PLAN OF THE ADVISORY COMMISSION

The Illinois Affordable Housing Act (310 ILCS 65/1 et seq. the "Act") established the Illinois Affordable Housing Program (the "Program") to provide affordable housing to low and very low income persons and families. The Act established the Illinois Affordable Housing Trust Fund (the "Trust Fund") within which is deposited 50% of the collections from the State real estate transfer tax. The Trust Fund monies fund the Program.

Funds are distributed and made available under the Program through three subprograms. The Housing Trust Fund ("HTF") Program which has been in operation since the establishment of the Program provides subordinate gap financing or grants in a maximum amount of \$500,000 per project. In 1994, the Authority created the Trust Fund Bond Multi-Family (TFB-MF) and Trust Fund Bond Single Family (TFB-SF) Programs. The TFB-MF and TFB-SF Programs were created by leveraging Trust Fund monies to securitize and collateralize private taxable bond issues. Funds from the sale of the bonds are then used to provide first mortgage loans to eligible developers of multi-family developments or to lenders or builders or builders for loans to single family homebuyers.

The Act creates an Advisory Commission (the "Commission") to advise the Illinois Housing Development Authority (the "Authority") as to the operation of the Program. The Act provides that the Commission carry out certain responsibilities, including, the development and publication of a plan. Section 17(a) of the Act requires the Commission to prepare and publish in the Illinois Register a plan which describes the available resources to the Program, the application process for the Program, and the initial priorities for expenditure of the available resources. Pursuant to Section 17(a) of the Act, the Advisory Commission to the Illinois Affordable Housing Program has prepared the following plan.

I. Available Resources

Based on a review of the Program and projections by the Illinois Department of Revenue, the monies available to be spent on the Program in fiscal year 1995 shall be approximately \$17 million. Of the total monies available, no more than \$10 million shall be spent on the combined TFB-MF and TFB-SF Programs.

II. Application Process

The applicant must first complete an application form created by the Authority. The application requests, among other things, the following information:

- a. A general description of the proposed project.
- b. The total number of units, total number of low and very low income units, unit size and mix, and the respective rents or purchase prices to be charged.

## ILLINOIS AFFORDABLE HOUSING PROGRAM

## NOTICE OF PUBLIC INFORMATION

## ANNUAL PLAN OF THE ADVISORY COMMISSION

- c. A breakdown of the project budget's uses and sources.
- d. A development plan which outlines the project's completion schedule and identifies the project's participants and anticipated funding sources.
- e. The background, housing experience, and financial status of the applicant.

The Authority charges a \$250 application fee for not-for-profit organizations and governmental agencies and a \$500 application fee for for-profit organizations which must accompany the HTF application. The fee for TFB-MF applications is \$1,000.

After the applicant submits the application, the Authority will review it to determine whether the project, as proposed, satisfies the purposes and requirements of the Act and the Rules promulgated thereunder. The Authority will notify the applicant within approximately 30 days if the application fails to meet these requirements. If the application meets these basic requirements the Authority staff, in cooperation with the applicant, will establish and obtain the additional information necessary to properly evaluate the project. The Authority staff will then analyze the project's feasibility. Based on this analysis, the authority will make its recommendation to the Commission. The recommendations of the Authority staff together with those of the Commission will then be presented to the Authority's Board of Directors (the "Board") for approval consideration. Prior to the Board review, the Authority will notify parties interested in the application, including local officials, of the details of the project. Upon approval by the Board, the Authority staff will deliver a conditional commitment to the applicant.

### III. Priorities

The following statement represents the initial priorities for the evaluation of Program applications. The priorities and goals stated below represent guidelines to be followed in evaluating application and are not intended to be exhaustive. The Commission may modify these priority and goals as the Program evolves.

- a) Priority should be given to those HTF applications which demonstrate that the applicant has explored and exhausted other available public and private resources.
- b) Priority should be given to those projects which provide the best housing affordability for the longest period of time, with a goal of ensuring that some Trust Fund monies be directed to the lowest income population.

## ILLINOIS AFFORDABLE HOUSING PROGRAM

## NOTICE OF PUBLIC INFORMATION

## ANNUAL PLAN OF THE ADVISORY COMMISSION

- c) The Program should ensure an equitable distribution of Trust Fund monies across the State by establishing a goal of funding a proportionate number of units in the Chicago metropolitan area. Other metropolitan areas and rural areas as compared to those area's percentage of State population.
- d) The Program should ensure that funding is provided for a proportionate number of units for the low and very low income special needs population as compared to the percentage that population represents of the State's low and very low income population.



## DEPARTMENT OF AGRICULTURE

## REGULATORY AGENDA

- 1) Heading of the Part: Anhydrous Ammonia, Low Pressure Nitrogen Solutions, Equipment, Containers, and Storage Facilities
- 2) Code Citation: 8 Ill. Adm. Code 215
- 3) A description of the rule(s): The rule changes would adopt many of the national standards for the safe handling of anhydrous ammonia. It would allow the Department to utilize new technology and equipment developed since the last rulemaking.
- 4) Statutory Authority: Illinois Fertilizer Act of 1961 [505 ILCS 80]
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: Written comments may be sent to the attention of Mark Ringler at the address below prior to April 1, 1995.
- 6) Date Agency anticipates submitting to the Index Department a Notice of Proposed Amendments for publication in the Illinois Register:

The Department anticipates submitting these rules to the Index Department in July, 1995.

- 7) Information concerning this regulatory agenda shall be directed to:

Name: Mark Ringler  
Address: Illinois Department of Agriculture  
Bureau of Agricultural Products Inspection  
State Fairgrounds, P. O. Box 19281  
Springfield, IL 62794-9281  
Telephone: 217/785-1082

- 8) Will this amendment affect small business, small municipalities or not for profit corporations? No adverse impact is expected.
- 9) Other pertinent information concerning this amendment: None

## DEPARTMENT OF AGRICULTURE

## REGULATORY AGENDA

- 1) Heading of the Part: Farmland Preservation Act
- 2) Code Citation: 8 Ill. Adm. Code 700
- 3) A description of the rule(s): The Farmland Preservation Act requires that state agency policy statements and working agreements on farmland preservation shall be updated by the state agency and reviewed and approved by the Illinois Department of Agriculture every three years. The purpose of the rulemaking activity is to update, as appropriate, said state agency policy statements and working agreements.
- 4) Statutory Authority: Farmland Preservation Act (505 ILCS 75)
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No dates scheduled at this time.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: Unknown at this time.
- 7) Information concerning the regulatory agenda shall be directed to:

Name: Steven D. Chard  
Address: Illinois Department of Agriculture  
Bureau of Farmland Protection  
State Fairgrounds, P.O. Box 19281  
Springfield, IL 62794-9281  
Telephone: 217/782-6297

- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not for profit corporations? No
- 9) Other pertinent information concerning this rule (amendment, repealer): None

## DEPARTMENT OF AGRICULTURE

## REGULATORY AGENDA

- 1) Heading of the Part: Illinois Seed Law
- 2) Code Citation: 8 Ill. Adm. Code 230
- 3) A description of the rule(s): The rule changes would allow the Department of offer different tests that are currently available for seed products and allow the establishment of fees for these tests (i.e., T2, seed count, etc.). These rules would allow for the Department to update its services offered to those groups or individuals wishing to utilize them.
- 4) Statutory Authority: Illinois Seed Law [505 ILCS 110]
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: Written comments may be sent to the attention of Mark Ringler at the address below prior to March 1, 1995.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repeal) for publication in the Illinois Register: The Department anticipates submitting these rules to the Index Department in April, 1995.
- 7) Information concerning the regulatory agenda shall be directed to:

Name: Mark Ringler  
 Address: Illinois Department of Agriculture  
 Bureau of Agricultural Products Inspection  
 State Fairgrounds; P.O. Box 19281  
 Springfield, IL 62794-9281  
 Telephone: (217) 785-1082

- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not for profit corporations? No adverse impact is expected.
- 9) Other pertinent information concerning this rule (amendment, repealer):  
 None

## DEPARTMENT OF AGRICULTURE

## REGULATORY AGENDA

- 1) Heading of the Part: Illinois State Fair, and DuQuoin State Fair, Non-Fair Space Rental and the General Operation of the State Fairgrounds
- 2) Code Citation: 8 Ill. Adm. Code 270
- 3) A description of the rule(s): Current rules prohibit the parking of motorcycles on the Illinois State Fairgrounds during the annual State Fair. The Department is considering changing Section 270.310 to permit parking in a designated area only.  
 Amendments to Section 270.255 will expand the information to be stated in the various premium books such as clarification of competition criteria as well as special qualifications required for competition.  
 A new rule pertaining to the possession and display of firearms on the fairgrounds will be drafted and proposed.
- 4) Statutory Authority: State Fair Act [20 ILCS 210] and the Civil Administrative Code [20 ILCS 5/16 and 40.14]
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: Several of the changes have been discussed with the affected groups. Written comments will be solicited from the public.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repeal) for publication in the Illinois Register: January 15, 1994
- 7) Information concerning the regulatory agenda shall be directed to:  
 Name: Herbert F. Higgs, Jr.  
 Address: Illinois Department of Agriculture  
 Illinois State Fair  
 State Fairgrounds, P.O. Box 19427  
 Springfield, IL 62794  
 Telephone: 217/782-0778
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not for profit corporations? No adverse impact is expected.
- 9) Other pertinent information concerning this rule (amendment, repealer):  
 None

## DEPARTMENT OF AGRICULTURE

## REGULATORY AGENDA

- 1) Heading of the Part: Weights and Measures Act
- 2) Code Citation: 8 Ill. Adm. Code 600
- 3) A description of the rule(s): Inspection fees are collected from users of weighing and measuring devices whenever an inspection is performed. A fee is also assessed by use of the Department's Metrology Laboratory. The costs for inspections have significantly increased without an inspection fee increase.
- 4) Statutory Authority: Weights and Measures Act [225 ILCS 470]
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: A working group will be appointed by the Illinois Department of Agriculture Director consisting of various organizations that represent businesses affected.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: Unknown at this time.
- 7) Information concerning the regulatory agenda shall be directed to:

Name: Sid Colbrook  
 Address: Illinois Department of Agriculture  
 Bureau of Weights and Measures  
 State Fairgrounds, P.O. Box 19281  
 Springfield, IL 62794-9281  
 Telephone: (217) 782-3817

- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not for profit corporations? Small businesses may be required to pay an increased device inspection fee.

- 9) Other pertinent information concerning this rule (amendment, repealer):  
 None

## AUDITOR GENERAL

## REGULATORY AGENDA

- 1) Heading of the Part: Code of Regulations
- 2) Code Citation: 74 Ill. Adm. Code 420
- 3) A description of the rule(s): The contemplated rulemaking will update and revise procedures for investigations, standards for audits, the schedule of audits, the standards for the maintenance of information and the procedures for consultations and responses to findings.
- 4) Statutory Authority: Subparts A and B implementing and authorized by Section 3-7 of the Illinois State Auditing Act (30 ILCS 5/3-7); Subpart C implementing and authorized by Sections 3-8(b), 3-8(c) and 3-8(d) of the Illinois State Auditing Act (30 ILCS 5/3-8(b), 5/3-8(c) and 5/3-8(d)); Subpart D implementing and authorized by Section 3-6 of the Illinois State Auditing Act (30 ILCS 5/3-6); Subpart E implementing and authorized by Section 3-8 of the Illinois State Auditing Act (30 ILCS 5/3-8); Subpart G implementing and authorized by Sections 3-7, 3-8(a) and 3-11 of the Illinois State Auditing Act (30 ILCS 5/3-7, 5/3-8(a) and 5/3-11); Subpart H implementing and authorized by Sections 3-7, 3-8(c) and 3-8(d) of the Illinois State Auditing Act (30 ILCS 5/3-7, 5/3-8(c) and 5/3-8(d)).
- 5) Schedule of dates for hearings, meetings or other opportunities for public participation: The public may submit views and comments to the individual designated in number 7 below.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Amendments for publication in the Illinois Register: February 17, 1995
- 7) Information concerning this regulatory agenda shall be directed to:

Name:	Becky Patton
Address:	Office of the Auditor General 740 E. Ash St. Springfield, Illinois 62703
Telephone:	(217) 782-6698
- 8) Will this amendment affect small business, small municipalities or not for profit corporations? Yes
- 9) Other pertinent information concerning this amendment: None



## AUDITOR GENERAL

## REGULATORY AGENDA

- 1) Heading of the Part: Code of Rules
- 2) Code Citation: 74 Ill. Adm. Code 440
- 3) A description of the rule(s): The contemplated rulemaking will update and revise the working interpretations of financial and compliance audits, the procedures for public petitions for rulemaking actions, the appointments of Special Assistant Auditors, the standards and forms of oaths, the procedures and forms of subpoenas and the procedures for taking depositions.
- 4) Statutory Authority: Subparts A and B implementing and authorized by Section 2-12(a) of the Illinois State Auditing Act (30 ILCS 5/2-12(a)); Subpart C implementing and authorized by Section 2-12 of the Illinois State Auditing Act (30 ILCS 5/2-12); Subpart D implementing and authorized by Section 2-12 of the Illinois State Auditing Act (30 ILCS 5/2-12) and Section 5-145(b) of the Illinois Administrative Procedure Act (5 ILCS 100/5-145(b)); Subpart E implementing and authorized by Section 2-12(c)(2) of the Illinois State Auditing Act (30 ILCS 5/2-12(c)(2)); Subpart F implementing and authorized by Section 2-12(c)(3) of the Illinois State Auditing Act (30 ILCS 5/2-12(c)(3)); Subpart G implementing and authorized by Section 2-12(c)(4) of the Illinois State Auditing Act (30 ILCS 5/2-12(c)(4)); Subpart H implementing and authorized by Sections 2-12(c)(1) and (3) of the Illinois State Auditing Act (30 ILCS 5/2-12(c)(1) and (3)).
- 5) Schedule of dates for hearings, meetings or other opportunities for public participation: The public may submit views and comments to the individual designated in number 7 below.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Amendments for publication in the Illinois Register: February 17, 1995
- 7) Information concerning this regulatory agenda shall be directed to:  
 Name: Becky Patton  
 Address: Office of the Auditor General  
 740 E. Ash St.  
 Springfield, Illinois 62703  
 Telephone: (217) 782-6698
- 8) Will this amendment affect small business, small municipalities or not for profit corporations? Yes
- 9) Other pertinent information concerning this amendment: None

## AUDITOR GENERAL

## REGULATORY AGENDA

- 1) Heading of the Part: Purchases and Contracts
- 2) Code Citation: 44 Ill. Adm. Code 500
- 3) A description of the rule(s): The contemplated rulemaking will update and revise the Office of the Auditor General's purchasing and contract rules.
- 4) Statutory Authority: Implementing and authorized by The Illinois Purchasing Act (30 ILCS 505/1)
- 5) Schedule of dates for hearings, meetings or other opportunities for public participation: The public may submit views and comments to the individual designated in number 7 below.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Amendments for publication in the Illinois Register: February 17, 1995
- 7) Information concerning this regulatory agenda shall be directed to:  
 Name: Becky Patton  
 Address: Office of the Auditor General  
 740 E. Ash St.  
 Springfield, Illinois 62703  
 Telephone: (217) 782-6698
- 8) Will this amendment affect small business, small municipalities or not for profit corporations? Yes
- 9) Other pertinent information concerning this amendment: None

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## REGULATORY AGENDA

- 1) Heading of the Part: Acquisition, Management and Disposal of Real Property
- 2) Code Citation: 44 Ill. Adm. Code 5000
- 3) A description of the rule(s): The proposed amendment will amend fee schedules for use of State facilities.
- 4) Statutory Authority: Implementing and authorized by Section 67.24 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, pars. 63b13.24) [20 ILCS 405/67.24].
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings are scheduled.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: March, 1995.
- 7) Information concerning this regulatory agenda shall be directed to:

Name: Stephen W. Seiple  
Address: 720 Stratton Building  
Springfield, Illinois 62706  
Telephone: 217/782-9669
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not for profit corporations? No.
- 9) Other pertinent information concerning this rule (amendment, repealer):

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## REGULATORY AGENDA

- 1) Heading of the Part: Conditions of Employment
- 2) Code Citation: 80 Ill. Adm. Code 303
- 3) A description of the rule(s): The proposed amendments will conform the Personnel Rules to the collective bargaining agreement, including use of sick leave; additional sick leave; 10 day State paid maternity/paternity leave; and State paid health and dental insurance for 6 months while an employee is on a Family Responsibility Leave. The proposed amendments also decentralize certain personnel functions that are now performed by the Director of Central Management Services to the agency level, and implement and clarify tuition reimbursement rules.
- 4) Statutory Authority: Implementing and authorized by the Personnel Code (Ill. Rev. Stat. 1991, ch. 127, par. 63b101 et seq.) [20 ILCS 415/1 et seq.]
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings are scheduled.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: February, 1995.
- 7) Information concerning this regulatory agenda shall be directed to:

Name: Stephen W. Seiple  
Address: 720 Stratton Building  
Springfield, Illinois 62706  
Telephone: 217/782-9669
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not for profit corporations? No.
- 9) Other pertinent information concerning this rule (amendment, repealer):

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## REGULATORY AGENDA

- 1) Heading of the Part: Joint Rules of the Comptroller and the Department of Central Management Services: Prompt Payment
- 2) Code Citation: 74 Ill. Adm. Code 900
- 3) A description of the rule(s): Establish procedures allowing vendors to request payment of late payment interest of less than \$5.00.
- 4) Statutory Authority: Implementing the State Prompt Payment Act to require prompt payments by the State of Illinois for goods or services (Ill. Rev. Stat. 1991, ch. 127, par. 132.400 through 132.407) [30 ILCS 540].
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings are scheduled.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: Spring, 1995.
- 7) Information concerning this regulatory agenda shall be directed to:

Name: Stephen W. Seiple  
Address: 720 Stratton Building  
Springfield, Illinois 62706  
Telephone: 217/782-9669
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not for profit corporations? Yes. Those which are owed money by the State will have expanded opportunity to request interest in event bills are paid late.
- 9) Other pertinent information concerning this rule (amendment, repealer):

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## REGULATORY AGENDA

- 1) Heading of the Part: Merit and Fitness
- 2) Code Citation: 80 Ill. Adm. Code 302
- 3) A description of the rule(s): The proposed amendments will conform the Personnel Rules to the collective bargaining agreement, including situations where an employee is arrested or indicted, and change the probationary period for merit compensation employees. The proposed amendments also conform the existing rules to provisions in the current law regarding veteran's preference.
- 4) Statutory Authority: Implementing and authorized by the Personnel Code (Ill. Rev. Stat. 1991, ch. 127, par. 63b101 et seq.) [20 ILCS 415].
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings are scheduled.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: February, 1995.
- 7) Information concerning this regulatory agenda shall be directed to:

Name: Stephen W. Seiple  
Address: 720 Stratton Building  
Springfield, Illinois 62706  
Telephone: 217/782-9669
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not for profit corporations? No.
- 9) Other pertinent information concerning this rule (amendment, repealer):



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## REGULATORY AGENDA

- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) A description of the rule(s):  

Projected amendments to the Department of Central Management Services' Pay Plan will include revision to the following sections and other amendments will likely be necessary although this cannot be projected currently:

In Section 310.270, Legislated and Contracted Rate, the annual salary of the Arbitrator will be increased, effective January 1, 1995.

In Section 310.290, Out-of-State or Foreign Service Rate, the salary ranges of certain titles used in the Department of Revenue for out-of-State positions shall be adjusted to maintain the same differential above the in-state positions which will receive a one pay grade increase.

In Section 310. Table G, RC-045 (Automotive Mechanics, IFPE) and Table T, HR-010 (Teachers of Deaf, IFP), the negotiations on Fiscal Year 1995 salary increases are pending.

In Section 310. Table J, RC-014 (Clerical Employees, AFSCME), the new titles of Telecommunicator Call Taker and Telecommunicator Lead Call Taker will be submitted for inclusion into the RC-014 Bargaining Unit.

The Fiscal Year 1996 salary amendments are anticipated in relation to the Schedule of Salary Grades and Merit Compensation plan.
- 4) Statutory Authority:  

Authorized by Section 8a(2) of the Personnel Code (Ill. Rev. Stat. 1991, ch. 127, par. 63b108a.2) [20 ILCS 415/8a.2]
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation:  

Specific criticisms, suggestions and/or comments can be forwarded to the Department of Central Management Services in writing by interested persons during the First Notice Period of Pay Plan amendments.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register:  

Amendments to Section 310.270 and Table J will be filed in January, 1995. The other projected amendments are anticipated to be filed at a later date.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## REGULATORY AGENDA

- 7) Information concerning this regulatory agenda shall be directed to:

Name: Mr. Michael Murphy  
Address: Department of Central Management Services  
 Division of Technical Services  
 504 William G. Stratton Building  
 Springfield, Illinois 62706  
Telephone: (217) 782-5601

- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not for profit corporations?

These amendments to the Pay Plan pertain only to State employees subject to the Personnel Code under the Governor. They do not set out any guidelines that are to be followed by local or other jurisdictional bodies within the State.

- 9) Other pertinent information concerning this rule (amendment, repealer):

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## REGULATORY AGENDA

- 1) Heading of the Part: State of Illinois Dependent Care Assistance Plan
- 2) Code Citation: 80 Ill. Adm. Code 2110
- 3) A description of the rule(s): The proposed amendment will remove the forfeiture distribution provisions from the Dependent Care Assistance Plan (DCAP). Any gains from forfeitures will be distributed to the Health Insurance Reserve Fund (HIRF).
- 4) Statutory Authority: Implementing Sections 125 and 129(d) of the Internal Revenue Code (26 U.S.C. 125 and 129(d)), Section 63b5 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 63b5) [20 ILCS 405/64.2], Section 30c of the State Finance Act (Ill. Rev. Stat. 1991, ch. 127, par. 166c) [30 ILCS 105/30c], and Sections 3 and 9 of the State Employees Group Insurance Act of 1971 (Ill. Rev. Stat. 1991, ch. 127, pars. 523 and 529) [5 ILCS 375/3 and 375/9] and authorized by Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16) [20 ILCS 5/16].
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings are scheduled.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: January, 1995.
- 7) Information concerning this regulatory agenda shall be directed to:  
 Name: Stephen W. Seiple  
 Address: 720 Stratton Building  
 Springfield, Illinois 62706  
 Telephone: 217/782-9669
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not for profit corporations? No.
- 9) Other pertinent information concerning this rule (amendment, repealer):

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## REGULATORY AGENDA

- 1) Heading of the Part: State of Illinois Medical Care Assistance Plan
- 2) Code Citation: 80 Ill. Adm. Code 2120
- 3) A description of the rule(s): The proposed amendment will remove the forfeiture distribution provisions from the Medical Care Assistance Plan (MCAP). Any gains from forfeitures will be distributed to the Health Insurance Reserve Fund (HIRF), and any program losses will be covered by HIRF. This will help assure the financial viability of the program.
- 4) Statutory Authority: Implementing Sections 105(h), 125, and 213(d) of the Internal Revenue Code (26 U.S.C. 105 (h), 125, and 213(d)), Section 63b5 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 63b5) [20 ILCS 405/64.2], Section 30c of the State Finance Act (Ill. Rev. Stat. 1991, ch. 127, par. 166c) [30 ILCS 105/30c], and Sections 3 and 9 of the State Employees Group Insurance Act of 1971 (Ill. Rev. Stat. 1991, ch. 127, pars. 523 and 529) [5 ILCS 375/3 and 375/9] and authorized by Section 16 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 16) [20 ILCS 5/16].
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings are scheduled.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: January, 1995.
- 7) Information concerning this regulatory agenda shall be directed to:  
 Name: Stephen W. Seiple  
 Address: 720 Stratton Building  
 Springfield, Illinois 62706  
 Telephone: 217/782-9669
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not for profit corporations? No.
- 9) Other pertinent information concerning this rule (amendment, repealer):

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## REGULATORY AGENDA

- 1) Heading of the Part: State Vehicles and Garage
- 2) Code Citation: 44 Ill. Adm. Code 5040
- 3) A description of the rule(s): The proposed amendment will amend the definition of Executive Department.
- 4) Statutory Authority: Implementing Sections 67.15, 67.16 and 67.22 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, pars. 63b13.15, 63b13.16 and 63b13.22) [20 ILCS 405/67.15, 67.16 and 67.22]; Sections 1 and 2 of "AN ACT to require state agencies and state colleges and universities to purchase or lease passenger automobiles complying with minimum gas mileage standards" (Ill. Rev. Stat. 1991, ch. 127, pars. 132.501 and 132.502) [30 ILCS 615/1 and 615/2] and Sections 1 and 2 of "AN ACT relating to identification and use of motor vehicles of the State" (Ill. Rev. Stat. 1991, ch. 127, pars. 133e1 and 133e2) [30 ILCS 610/1 and 610/2] and authorized by Section 67.15 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 63b13.15) [20 ILCS 405/67.15].
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings are scheduled.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: February, 1995.
- 7) Information concerning this regulatory agenda shall be directed to:

Name: Stephen W. Seiple  
Address: 720 Stratton Building  
Springfield, Illinois 62706  
Telephone: 217/782-9669
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not for profit corporations? No.
- 9) Other pertinent information concerning this rule (amendment, repealer):

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## REGULATORY AGENDA

- 1) Heading of the Part: Travel
- 2) Code Citation: 80 Ill. Adm. Code 2800
- 3) A description of the rule(s): A new section will be added to reflect new maximum allowable rates for agencies under the jurisdiction of the Board, effective July 1, 1995.
- 4) Statutory Authority: Implementing and authorized by Section 12-1 of the State Finance Act (Ill. Rev. Stat. 1991, ch. 127, par. 148-1) [30 ILCS 105/12-1] and authorized by the Travel Regulation Council (80 Ill. Adm. Code 3000).
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings are scheduled.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: February, 1995.
- 7) Information concerning this regulatory agenda shall be directed to:

Name: Stephen W. Seiple  
Address: 720 Stratton Building  
Springfield, Illinois 62706  
Telephone: 217/782-9669
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not for profit corporations? No.
- 9) Other pertinent information concerning this rule (amendment, repealer):



## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## REGULATORY AGENDA

- 1) Heading of the Part: The Travel Regulation Council
- 2) Code Citation: 80 Ill. Adm. Code 3000
- 3) A description of the rule(s): The proposed amendment will increase the allowable per diem and lodging rates, effective July 1, 1995.
- 4) Statutory Authority: Implementing and authorized by Section 12-2 of the State Finance Act (Ill. Rev. Stat. 1991, ch. 127, pars. 148-2) [30 ILCS 105/12-2].
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings are scheduled.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: February, 1995.
- 7) Information concerning this regulatory agenda shall be directed to:

Name: Stephen W. Seiple  
Address: 720 Stratton Building  
Springfield, Illinois 62706  
Telephone: 217/782-9669
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not for profit corporations? No.
- 9) Other pertinent information concerning this rule (amendment, repealer):

## ENVIRONMENTAL PROTECTION AGENCY

## REGULATORY AGENDA

- 1) Heading of the Part: Testing Fees For Analytical Services
- 2) Code Citation: 35 Ill. Adm. Code: 691
- 3) A description of the rule(s): The Testing Fees For Analytical Services rules establish procedures for the determination and the collection of fees for analytical services to show compliance with the drinking water regulations established pursuant to the federal Safe Drinking Water Act (42 U.S.C. 300f (1991)) and the Illinois Environmental Protection Act (415 ILCS 5/1 (1992)). The proposed amendments to these rules reflect the changes as the result of the enactment of Public Act 88-466, effective September 10, 1993.
- 4) Statutory Authority: Implementing and authorized by Section 17.7 of the Illinois Environmental Protection Act (415 ILCS 5/17.7 (1992)) as added by P.A. 86-670, effective January 1, 1990 and as amended by Public Act 88-488, effective September 10, 1993.
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: The proposed amendments were reviewed by the Community Water Supply Testing Council at their annual meeting on December 7, 1994 and the Council concurred with the amendments.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed amendments for publication in the Illinois Register: January 25, 1995.
- 7) Information concerning this regulatory agenda shall be directed to:

Stephen C. Ewart, Deputy Counsel  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
2200 Churchill Road, P.O. Box 19276  
Springfield, IL 62794-9276  
(217) 782-5544
- 8) Will the proposed amendments affect small business, small municipalities or not for profit corporations? No, the rules establish a voluntary program that provides analytical services for a fee to municipalities, small businesses, and other entities that furnish drinking water to the public as community water supplies.

ENVIRONMENTAL PROTECTION AGENCY

REGULATORY AGENDA

- 1) Heading of the Part: Design Criteria for Pressure Sewage Systems
- 2) Code Citation: 35 Ill. Adm. Code 374
- 3) A description of the rule(s): Deletes requirement that all pumping units in private residences that have a pressure sewage system be publicly owned.
- 4) Statutory Authority: Authorized by Sections 4(h) and 39(a) of the Illinois Environmental Protection Act, 415 ILCS 5/4(h) and 5/39(a).
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: Not yet determined.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Amendments for publication in the Illinois Register: March 1, 1995.
- 7) Information concerning this regulatory agenda shall be directed to:  
 Name: Thomas J. McSwiggin  
 Address: Bureau of Water  
 Illinois Environmental Protection Agency  
 2200 Churchill Road  
 Springfield Illinois 62794-9276  
 Telephone: (217) 782-0610
- 8) Will this amendment affect small businesses, small municipalities or not for profit corporations? Yes
- 9) Other pertinent information concerning this amendment: Not yet determined.

ENVIRONMENTAL PROTECTION AGENCY

REGULATORY AGENDA

- 1) Heading of the Part: General Conditions of State of Illinois Municipal Waste Planning and Nonhazardous Solid Waste or Municipal Waste Enforcement Grants.
- 2) Code Citation: 35 Ill. Adm. Code 871
- 3) A description of the rule(s): Section 22.15(g) of the Environmental Protection Act authorizes the Agency to provide financial assistance from the Solid Waste Management Fund to units of local government for the management of municipal waste. Funding for up to 70% of the total project costs, up to \$500,000, is available from the Agency for each unit of local government.
- 4) Statutory Authority: The proposed amendments are authorized pursuant to Section 22.15(g) of the Illinois Environmental Protection Act, 415 ILCS 5/22.15(g) (1992).
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: None set at this time.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Amendments for publication in the Illinois Register: The Environmental Protection Agency anticipates submitting its proposal sometime in January of 1995.
- 7) Information concerning this regulatory agenda shall be directed to:  
 Name: Kimberly A. Robinson  
 Assistant Counsel  
 Address: Illinois Environmental Protection Agency  
 2200 Churchill, P. O. Box 19276  
 Springfield, Illinois 62794-9276  
 Telephone: 217-782-5544
- 8) Will this amendment affect small business, small municipalities or not for profit corporations? The law only allows counties and municipal joint action agencies to apply for Phase III grants; therefore, those are the only entities affected by the proposed amendments.
- 9) Other pertinent information concerning this amendment: None.

## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

## REGULATORY AGENDA

- 1) Heading of the Part: Part 255: General Conformity
- 2) Code Citation: 35 Ill. Adm. Code 255
- 3) A description of the rule(s): The proposed Agency rules will add a new part to address the requirements of Section 176 of the Clean Air Act: 35 Ill. Adm. Code that Illinois adopt criteria and procedures for federal agencies to use in determining whether federal projects in Illinois' nonattainment and maintenance areas conform to the applicable state implementation plan. These rules will apply to the following nonattainment and maintenance areas: for ozone - Chicago, Metro-East, and Jersey County areas, for sulfur dioxide Peoria/Tazewell area, and for PM-10 - Granite City, Lake Calumet, Oglesby and McCook areas. The regulations will contain definitions, notice and consultation procedures, criteria, as well as procedures for mitigation of air quality impacts.
- 4) Statutory Authority: Section 4 of the Illinois Environmental Protection Act [415 ILCS 5/4 (1992)].
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: The Illinois Environmental Protection Agency will be meeting with interested parties in the Spring of 1995, including affected federal and state agencies.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: A Spring 1995 submittal is expected.
- 7) Information concerning this regulatory agenda shall be directed to:

Name: Rachel Doctors  
Address: Illinois Environmental Protection Agency  
2200 Churchill Road  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
Telephone: 217/524-3333

8) Will this rule (amendment, repealer) affect small business, small municipalities or not for profit corporations? As this regulation applies to federal actions, it is not expected to impact privately-owned small businesses.

9) Other pertinent information concerning this rule (amendment, repealer): This is an Agency regulation rather than a Pollution Control Board regulation since it concerns procedures rather than emissions standards or control requirements. The Clean Air Act requires that federal agencies ensure that their projects and actions, including funding and permitting of projects do not interfere with the State's attainment plan.

## ENVIRONMENTAL PROTECTION AGENCY

## REGULATORY AGENDA

- 1) Heading of the Part: Illinois Recommended Standards for Sewage Works
- 2) Code Citation: 35 Ill. Adm. Code 370
- 3) A description of the rule(s): Amendments to the criteria to be used for the design of and preparation of plans and specifications for sewage collection and treatment systems. These criteria contain both mandatory requirements and recommended practices. The amendments incorporate technology and design changes that have occurred since the original adoption of these criteria in 1980.
- 4) Statutory Authority: Authorized by Sections 4(h) and 39(a) and (b) of the Illinois Environmental Protection Act, 415 ILCS 5/4(h) and 5/39(a) and 39(b).
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: Not yet determined.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Amendments for publication in the Illinois Register: March 1, 1995
- 7) Information concerning this regulatory agenda shall be directed to:

Name: Thomas J. McSwiggin  
Address: Bureau of Water  
Illinois Environmental Protection Agency  
2200 Churchill Road  
Springfield IL 62794-9276  
Telephone: (217) 782-0610
- 8) Will this amendment affect small business, small municipalities or not for profit corporations? Yes
- 9) Other pertinent information concerning this amendment: Not yet determined.



## ENVIRONMENTAL PROTECTION AGENCY

## REGULATORY AGENDA

- 1) Heading of the Part: Joint Rules of the Illinois Environmental Protection Agency, the Illinois Department of Public Health, and the Illinois Department of Nuclear Safety: Certification and Operation of Environmental Laboratories

2) Code Citation: 35 Ill. Adm. Code 183

- 3) A description of the rule(s): The amendments to these rules establish new analytical methods and update versions of previously adopted analytical methods for the testing of inorganic and organic contaminants in drinking water that are regulated pursuant to the federal Safe Drinking Water Act (42 U.S.C. 300f (1991)) and the Illinois Environmental Protection Act (415 ILCS 5/1 (1992)). The proposed amendments to these rules reflect the changes to analytical methods for drinking water that were adopted by the U.S. Environmental Protection Agency and published in 59 Fed. Reg. 62456 (December 5, 1994).

- 4) Statutory Authority: Implementing and authorized by Section 1401(1)(d) of the Safe Drinking Water Act (42 U.S.C. 300f (1)(D)), Subpart of the National Interim Primary Drinking Water Regulations (40 C.F.R. 141.21 through 141.30 (1991)), the Illinois Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1001 et seq.) [415 ILCS 5/1 et seq.] and the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, pars. 1 et seq.) [20 ILCS 5/1 et seq.] and authorized by Sections 4(o) and (p) of the Illinois Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1004(o) and (p) [415 ILCS 5/4(o) and (p) and Sections 55.10 through 55.12 and Section 71 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, pars. 55.10 through 55.12, and 63b17) [20 ILCS 2310/55.10 through 55.12, and 20 ILCS 2005/71(D)].

- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: The Agency has no plans for a hearing or meeting on these proposed amendments.

- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed amendments for publication in the Illinois Register: February 28, 1995.

- 7) Information concerning this regulatory agenda shall be directed to:

Karl Reed, Manager Quality Assurance Section  
Division of Laboratories  
Illinois Environmental Protection Agency  
2200 Churchill Road, P.O. Box 19276  
Springfield, IL 62794-9276  
(217) 782-6455

- 8) Will the proposed amendments affect small business, small municipalities

## ENVIRONMENTAL PROTECTION AGENCY

## REGULATORY AGENDA

or not for profit corporations? Yes, this rulemaking will affect small businesses. However, it is the Agency's practice to incorporate the minimum standards from the regulations of U.S. Environmental Protection Agency to minimize the impact on small business laboratories. In most cases, the required method changes will not require the small business laboratory to significantly modify existing laboratory procedures.

## ENVIRONMENTAL PROTECTION AGENCY

## REGULATORY AGENDA

- 1) Heading of the Part: Procedures and Requirements for Conflict Resolution in Revising Water Quality Management Plans
- 2) Code Citation: 35 Ill. Adm. Code 351
- 3) A description of the rule(s): Simplification of the process used by the Agency to resolve disputes over amendments to Illinois Water Quality Management Plans.
- 4) Statutory Authority: Authorized by Sections 4(1), 4(m) and 39(b) of the Illinois Environmental Protection Act, 415 ILCS 5/4(1) and 4(m) and 5/39(b).
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: Not yet determined.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Amendments for publication in the Illinois Register: Not yet determined.
- 7) Information concerning this regulatory agenda shall be directed to:

Name: Richard C. Warrington, Jr., Associate Counsel  
 Address: Division of Legal Counsel  
 Illinois Environmental Protection Agency  
 2200 Churchill Road  
 Springfield Illinois 62794-9276  
 Telephone: (217) 782-5544

- 8) Will this amendment affect small businesses, small municipalities or not for profit corporations? Yes

- 9) Other pertinent information concerning this amendment: Not yet determined.

## ENVIRONMENTAL PROTECTION AGENCY

## REGULATORY AGENDA

- 1) Heading of the Part: "Pre-Notice Site Cleanup Program"
- 2) Code Citation: 35 Ill. Adm. Code 859
- 3) A description of the rule(s): When complete, this proposal will further define the Illinois Environmental Protection Agency's ("IEPA") pre-notice site cleanup program (voluntary cleanup program) by describing (i) the types of Agency oversight services available, (ii) who is eligible to receive the services and how to apply, (iii) the nature of the service agreement, (iv) the fees, (v) the plans and reports that must be submitted for review, and (vi) the releases of liability that are available upon successful completion of the program.
- 4) Statutory Authority: 415 ILCS 5/22.2(m), 22.2b (Smith-Hurd Supp. 1994).
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: None scheduled at this time.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Amendments for publication in the Illinois Register: Summer or Fall 1995.
- 7) Information concerning this regulatory agenda shall be directed to:

Name: Mark Wight  
 Assistant Counsel  
 Address: Illinois Environmental Protection Agency  
 2200 Churchill, P. O. Box 19276  
 Springfield, Illinois 62794-9276  
 Telephone: 217-782-5544

- 8) Will this amendment affect small business, small municipalities or not for profit corporations? The rule will not impose new obligations on small business, small municipalities or not-for-profit corporations. However, these entities may be eligible to apply on a voluntary basis for Agency oversight services.

- 9) Other pertinent information concerning this amendment: The IEPA's pre-notice site cleanup program ("program") has existed under the authority of Section 22.2(m) of the Environmental Protection Act ("Act") for several years. Section 22.2b of the Act expressly expands the program to prospective purchasers of real estate. In addition, the program will be the cornerstone of the proposed "Brownfields" initiative, a plan to provide incentives to return potentially contaminated commercial and industrial properties to productive use. Because of the anticipated increase in applicants and the expansion of the use of releases of liability, the program needs to be placed on a firmer footing. The increased detail will clarify program requirements for both the Agency and

## ENVIRONMENTAL PROTECTION AGENCY

## REGULATORY AGENDA

participants.

- 1) Heading of the Part: Procedures for Issuing Municipal Waste Planning and Nonhazardous Solid Waste or Municipal Waste Enforcement Grants.

- 2) Code Citation: 35 Ill. Adm. Code 870

- 3) A description of the rule(s): Section 22.15(g) of the Environmental Protection Act authorizes the Agency to provide financial assistance from the Solid Waste Management Fund to units of local government in the planning for the management of nonhazardous solid waste or municipal waste or for plans prepared pursuant to the Local Solid Waste Disposal Act or the Solid Waste Planning and Recycling Act. Funding for up to 70% of the total project costs, not to exceed \$500,000, for each grantee is available from the Agency.

- 4) Statutory Authority: These rules will be proposed pursuant to Section 22.15(g) of the Illinois Environmental Protection Act, 415 ILCS 5/22.15(g) (1992).

- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: At this point in time, no dates have been set for hearings or other meetings.

- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Amendments for publication in the Illinois Register: The Environmental Protection Agency anticipates submitting its proposal sometime in January 1995.

- 7) Information concerning this regulatory agenda shall be directed to:

Name: Kimberly A. Robinson  
Assistant Counsel

Address: Illinois Environmental Protection Agency  
2200 Churchill, P. O. Box 19276  
Springfield, Illinois 62794-9276  
Telephone: 217-782-5544

- 8) Will this amendment affect small business, small municipalities or not for profit corporations? The law only allows counties and municipal joint action agencies to apply for Phase III grants; therefore, those are the only entities affected by the proposed amendments.

- 9) Other pertinent information concerning this amendment: None.



## ENVIRONMENTAL PROTECTION AGENCY

## REGULATORY AGENDA

- 1) Heading of the Part: Procedures for the Operation of the Fee System for Processing Inquiry Requests for Agency Records.
- 2) Code Citation: 35 Ill. Adm. Code 877
- 3) A description of the rule(s): The proposed rules will set forth a system for processing inquiry requests for agency records made by a subsequent property owner in order to deflect liability for releases or threat of releases of hazardous substances or pesticides.
- 4) Statutory Authority: These rules will be proposed pursuant to Section 22.2(j)(6)(E)(v)(IV) of the Illinois Environmental Protection Act, 415 ILCS 5/22.2(j)(6)(E)(v)(IV) (1992).
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: None at this time.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules for publication in the Illinois Register: The Environmental Protection Agency anticipates submitting its proposal in Spring of 1995.
- 7) Information concerning this regulatory agenda shall be directed to:

Name: Kimberly A. Robinson  
 Assistant Counsel  
 Address: Illinois Environmental Protection Agency  
 2200 Churchill, P. O. Box 19276  
 Springfield, Illinois 62794-9276  
 Telephone: 217-782-5544

- 8) Will this rule affect small business, small municipalities or not for profit corporations? This rule could potentially affect any subsequent property owner doing an inquiry request for agency records.
- 9) Other pertinent information concerning this amendment: None.

## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

## REGULATORY AGENDA

- 1) Heading of the Part: Part 276: Procedures to be Followed in the Performance of Annual Inspections of Motor Vehicle Exhaust Emissions
- 2) Code Citation: 35 Ill. Adm. Code 276
- 3) A description of the rule(s): This rule consists of procedures necessary to implement the "enhanced" vehicle emissions inspection and maintenance program. The Illinois Pollution Control Board has adopted the standards to be used for this program at 35 Ill. Adm. Code 240.
- 4) Statutory Authority: Mandated by 625 ILCS 5/13B (effective January 18, 1994).
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: The Agency plans to submit the proposed amendments to 35 Ill. Adm. Code 276 in January 1995. A hearing will be scheduled subsequently.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: January, 1995
- 7) Information concerning this regulatory agenda shall be directed to:

Name: Christopher P. Demeroukas  
 Assistant Counsel  
 Address: 2200 Churchill Road  
 P.O. Box 19276  
 Springfield, IL 62794-9276  
 Telephone: (217) 524-3333

- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not for profit corporations? These entities are currently subject to the provisions of 625 ILCS 5/13A (1992) which authorizes a "basic" testing program and the current versions of 35 Ill. Adm. Code 240 and 276 which implement this program. The new "enhanced" program will increase both the size of the testing area and the stringency of the emissions tests performed on vehicles in the testing areas. Therefore, small businesses, small municipalities, and not for profit corporations will be affected to the same extent as others under the enhanced program insofar as they utilize vehicles subject to testing.
- 9) Other pertinent information concerning this rule (amendment, repealer): Illinois is currently subject to proposed sanctions linked to its promulgation and implementation of a successful enhanced vehicle inspection and maintenance program. The amendments to be proposed to 35 Ill. Adm. Code 276 will form part of the submittal Illinois must make to the United States Environmental Protection Agency to prevent imposition of

## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

## REGULATORY AGENDA

those sanctions.

## ILLINOIS HOUSING DEVELOPMENT AUTHORITY

## REGULATORY AGENDA

1) Heading of the Part: Affordable Housing Bond Program - Single Family

2) Code Citation: 47 Ill. Adm. Code 366

3) A description of the rules: These proposed rules establish the procedures for operation of the single family portion of the Affordable Housing Bond Program. The Affordable Housing Bond Program was created for the making of loans and grants to acquire, construct, rehabilitate, develop, operate, insure and retain affordable single-family and multi-family housing for low-income and very low-income households.

4) Statutory Authority: Sections 3805/7.19 and 3805/7.25 of the Illinois Housing Development Act (20 ILCS 3805/7.19 and 20 ILCS 3805/7.25) and Sections 65/4 and 65/7(e) of the Illinois Affordable Housing Act (310 ILCS 65/4 and 310 ILCS 65/7(e)).

5) Schedule of dates for hearings, meetings, or other opportunities for public participation: December 16, 1994.

6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules for publication in the Illinois Register: December 21, 1994.

7) Information concerning this regulatory agenda shall be directed to:

Richard B. Muller, Esq.  
Illinois Housing Development Authority  
401 N. Michigan Ave., Ste. 900  
Chicago, IL 60611  
(312) 836-5327

8) Will these rules affect small business, small municipalities or not-for-profit corporations? Yes.

9) Other pertinent information concerning these rules: None.

ILLINOIS STATE LABOR RELATIONS BOARD  
ILLINOIS LOCAL LABOR RELATIONS BOARD

## REGULATORY AGENDA

- 1) Heading of the Part: Freedom of Information
- 2) Code Citation: 2 Ill. Adm. Code 2501
- 3) A description of the rule(s): This rule sets out the records maintained by the Boards and the public's access to these records.
- 4) Statutory Authority: Illinois Public Labor Relations Act, 5 ILCS 315 (1992).
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: Hearings and/or meetings on the proposed rules have not been determined. This information will be included in the first notice of rulemaking.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repeal) for publication in the Illinois Register: The Boards have not determined when it will be submitting their proposed amendments. They anticipate that it will be prior to July 1, 1995.
- 7) Information concerning the regulatory agenda shall be directed to:

Name: Lydia Mills Wendt  
Deputy General Counsel  
Address: 320 West Washington Street, Suite 500  
Springfield, IL 62701  
Telephone: (217) 785-3155
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not for profit corporations? No
- 9) Other pertinent information concerning this rule (amendment, repealer): The changes to this rule will summarily be clerical. We may also propose adding several records that will be exempt from disclosure.

ILLINOIS STATE LABOR RELATIONS BOARD  
ILLINOIS LOCAL LABOR RELATIONS BOARD

## REGULATORY AGENDA

- 1) Heading of the Part: Public Information, Rulemaking Organization
- 2) Code Citation: 2 Ill. Adm. Code 2500
- 3) A description of the rule(s): This rule concerns public information, administrative rulemaking and organizational structure of the Boards.
- 4) Statutory Authority: Illinois Public Labor Relations Act, 5 ILCS 315 (1992).
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: Hearings and/or meetings on the proposed rules have not been determined. This information will be included in the first notice of rulemaking.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repeal) for publication in the Illinois Register: The Boards have not determined when they will be submitting their proposed amendments. They anticipate that it will be prior to July 1, 1995.
- 7) Information concerning the regulatory agenda shall be directed to:

Name: Lydia Mills Wendt  
Address: Deputy General Counsel  
320 West Washington Street, Suite 500  
Springfield, Illinois 62701  
Telephone: (217) 785-3155
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not for profit corporations? No
- 9) Other pertinent information concerning this rule (amendment, repealer): The information in this Rule is outdated. The Boards' Chicago offices have moved to a new location and the Boards' staffs have been merged. Additionally there are a number of clerical changes that need to be made.



## DEPARTMENT OF PROFESSIONAL REGULATION

## REGULATORY AGENDA

- 1) Heading of the Part: Clinical Social Work and Social Work Practice Act
- 2) Code Citation: 68 Ill. Adm. Code 1470
- 3) A description of the rule(s): A section will be added setting forth standards of professional conduct for social workers and clinical social workers.
- 4) Statutory Authority: 225 ILCS 20
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: At this time no hearings or meetings have been scheduled.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: Unknown
- 7) Information concerning this regulatory agenda shall be directed to:  
 Department of Professional Regulation  
 Attention: Jean Courtney  
 320 West Washington, 3rd Floor  
 Springfield, Illinois 62786  
 217/785-0800 Fax: 217/782-7645
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not-for-profit corporations? No
- 9) Other pertinent information concerning this rule (amendment, repealer):  
 None

## DEPARTMENT OF PROFESSIONAL REGULATION

## REGULATORY AGENDA

- 1) Heading of the Part: Environmental Health Practitioner Registration Act
- 2) Code Citation: 68 Ill. Adm. Code (To be assigned)
- 3) A description of the rule(s): A new Part will be added implementing the Environmental Health Practitioner Registration Act. Application procedures, exam requirements, experience and education standards will be set forth in this rulemaking as well as other sections which are necessary to license environmental health practitioners in Illinois.
- 4) Statutory Authority: 225 ILCS 37
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No meetings or hearings have been scheduled at this time.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: Unknown
- 7) Information concerning this regulatory agenda shall be directed to:  
 Department of Professional Regulation  
 Attention: Jean Courtney  
 320 West Washington, 3rd Floor  
 Springfield, Illinois 62786  
 217/785-0800 Fax: 217/782-7645
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not-for-profit corporations? Yes, environmental health practitioners will have application and renewal fees to pay.
- 9) Other pertinent information concerning this rule (amendment, repealer):  
 None

## DEPARTMENT OF PROFESSIONAL REGULATION

## REGULATORY AGENDA

- 1) Heading of the Part: Illinois Architecture Practice Act of 1989
- 2) Code Citation: 68 Ill. Adm. Code 1150
- 3) A description of the rule(s): The architect rules will be amended to include sections regarding the functions and duties of the Design Complaint Committee and requirements for Design Firm registration. Other sections may be amended relating to experience, the Intern Development Program, etc.
- 4) Statutory Authority: 225 ILCS 305
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings have been scheduled at this time.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: Unknown
- 7) Information concerning this regulatory agenda shall be directed to:  
  
Department of Professional Regulation  
Attention: Jean Courtney  
320 West Washington, 3rd Floor  
Springfield, Illinois 62786  
217/785-0800 Fax: 217/782-7645
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not-for-profit corporations? Yes, licensed architects.
- 9) Other pertinent information concerning this rule (amendment, repealer):  
None.

## DEPARTMENT OF PROFESSIONAL REGULATION

## REGULATORY AGENDA

- 1) Heading of the Part: Illinois Professional Land Surveyor Act of 1989
- 2) Code Citation: 68 Ill. Adm. Code 1270
- 3) A description of the rule(s): The land surveyor rules will be amended to add new sections setting forth the composition and functions of the Design Complaint Committee. Also, professional and ethical standards for land surveyors and guidelines for land surveyors in accordance with the Monument Recordation Act will be added.
- 4) Statutory Authority: 225 ILCS 330
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings have been scheduled at this time.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: Unknown
- 7) Information concerning this regulatory agenda shall be directed to:  
  
Department of Professional Regulation  
Attention: Jean Courtney  
320 West Washington, 3rd Floor  
Springfield, Illinois 62786  
217/785-0800 Fax: 217/782-7645
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not-for-profit corporations? Yes, licensed land surveyors.
- 9) Other pertinent information concerning this rule (amendment, repealer): None

## DEPARTMENT OF PROFESSIONAL REGULATION

## REGULATORY AGENDA

- 1) Heading of the Part: Illinois Public Accounting Act
- 2) Code Citation: 68 Ill. Adm. Code 1420
- 3) A description of the amendment(s): The Department will be amending numerous sections of this Part due to Sunset Review of the Public Accounting Act. Language will be added for temporary practice in Illinois, a definition of a firm and a fee for continuing education sponsors. The continuing education section will be modified and license renewal language will be amended to change from a two year renewal cycle to a three year renewal cycle. Other modifications to this Part may be included in this rulemaking.
- 4) Statutory Authority: 225 ILCS 450
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings have been scheduled at this time.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repeal) for publication in the Illinois Register: Unknown
- 7) Information concerning this regulatory agenda shall be directed to:

Department of Professional Regulation  
Attention: Jean Courtney  
320 West Washington, 3rd Floor  
Springfield, Illinois 62786  
217/785-0800 Fax: 217/782-7645
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not-for-profit corporations? Yes, licensed public accountants
- 9) Other pertinent information concerning this rule (amendment, repealer): None

## DEPARTMENT OF PROFESSIONAL REGULATION

## REGULATORY AGENDA

- 1) Heading of the Part: Interior Design Profession Title Act
- 2) Code Citation: 68 Ill. Adm. Code 1255
- 3) A description of the rule(s): P.A. 88-650 requires the Department to license residential interior designers. This rulemaking will contain application and renewal procedures, along with experience and education standards and any other rules for registration of residential interior designers. Section 1255.10, which was the application for the grandfather licensure for interior designers, will be repealed.
- 4) Statutory Authority: 225 ILCS 310
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings have been scheduled at this time.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repeal) for publication in the Illinois Register: Unknown
- 7) Information concerning this regulatory agenda shall be directed to:

Department of Professional Regulation  
Attention: Jean Courtney  
320 West Washington, 3rd Floor  
Springfield, Illinois 62786  
217/785-0800 Fax: 217/782-7645
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not-for-profit corporations? Yes, licensed interior designers.
- 9) Other pertinent information concerning this rule (amendment, repealer): None



## DEPARTMENT OF PROFESSIONAL REGULATION

## REGULATORY AGENDA

- 1) Heading of the Part: Medical Practice Act of 1987
- 2) Code Citation: 68 Ill. Adm. Code 1285
- 3) A description of the rule(s): The medical rules will be amended to update sections regarding approved postgraduate clinical training programs (1285.40), application for examination (1285.50), licensure by endorsement (1285.80) and visiting physician permits (1285.101).
- 4) Statutory Authority: 225 ILCS 60
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: At this time no hearings or meetings have been scheduled.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repeal) for publication in the Illinois Register: Unknown
- 7) Information concerning this regulatory agenda shall be directed to:  
 Department of Professional Regulation  
 Attention: Jean Courtney  
 320 West Washington, 3rd Floor  
 Springfield, Illinois 62786  
 217/785-0800 Fax: 217/782-7645
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not-for-profit corporations? Yes, licensed physicians.
- 9) Other pertinent information concerning this rule (amendment, repealer):  
 None

## DEPARTMENT OF PROFESSIONAL REGULATION

## REGULATORY AGENDA

- 1) Heading of the Part: Naprapathic Practice Act.
- 2) Code Citation: 68 Ill. Adm. Code (To be assigned)
- 3) A description of the rule(s): Rules to implement the Naprapathic Practice Act will be proposed. The new Part will include application, restoration and renewal language. Education and experience requirements will be set forth in addition to any other rules required for licensure of naprapaths in Illinois.
- 4) Statutory Authority: 225 ILCS 63
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings have been scheduled at this time.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repeal) for publication in the Illinois Register: Unknown.
- 7) Information concerning this regulatory agenda shall be directed to:  
 Department of Professional Regulation  
 Attention: Jean Courtney  
 320 West Washington, 3rd Floor  
 Springfield, Illinois 62786  
 217/785-0800 Fax: 217/782-7645
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not-for-profit corporations? Yes, individuals engaged in the practice of naprapathy.
- 9) Other pertinent information concerning this rule (amendment, repealer):  
 None

## DEPARTMENT OF PROFESSIONAL REGULATION

## REGULATORY AGENDA

- 1) Heading of the Part: Optometric Practice Act of 1987
- 2) Code Citation: 68 Ill. Adm. Code 1320
- 3) A description of the rule(s): Changes in several sections of the optometry rules are being discussed such as endorsement, continuing education and scope of practice.
- 4) Statutory Authority: 225 ILCS 80
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings have been scheduled at this time.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: Unknown
- 7) Information concerning this regulatory agenda shall be directed to:  
 Department of Professional Regulation  
 Attention: Jean Courtney  
 320 West Washington, 3rd Floor  
 Springfield, Illinois 62786  
 217/785-0800 Fax: 217/782-7645
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not-for-profit corporations? Yes, licensed optometrists.
- 9) Other pertinent information concerning this rule (amendment, repealer):  
 None

## DEPARTMENT OF PROFESSIONAL REGULATION

## REGULATORY AGENDA

- 1) Heading of the Part: Pharmacy Practice Act of 1987
- 2) Code Citation: 68 Ill. Adm. Code: 1330
- 3) A description of the rule(s): The Board of Pharmacy has recommended that the continuing education section (1330.140) be changed to require 3 of the 30 hours of education to be in federal/state law.
- 4) Statutory Authority: 225 ILCS 85
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings have been scheduled at this time.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: Unknown
- 7) Information concerning this regulatory agenda shall be directed to:  
 Department of Professional Regulation  
 Attention: Jean Courtney  
 320 West Washington, 3rd Floor  
 Springfield, Illinois 62786  
 217/785-0800 Fax: 217/782-7645
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not-for-profit corporations? Yes, licensed pharmacists will be required to obtain the specified continuing education.
- 9) Other pertinent information concerning this rule (amendment, repealer):  
 None

## DEPARTMENT OF PROFESSIONAL REGULATION

## REGULATORY AGENDA

- 1) Heading of the Part: Professional Counselor and Clinical Professional Counselor Licensing Act
- 2) Code Citation: 68 Ill. Adm. Code 1375
- 3) A description of the rule(s): Two sections will be added to the professional counselor and clinical professional counselor rules. One section will set forth professional ethics standards for licensed professional counselors and licensed clinical professional counselors. An appendix will be added defining the courses set forth in Section 1375.50 and 1375.140 for approved programs in counseling. Other sections may need to be revised due to the newness of this profession.
- 4) Statutory Authority: 225 ILCS 107
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings have been scheduled at this time.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repeal) for publication in the Illinois Register: Unknown
- 7) Information concerning this regulatory agenda shall be directed to:  
 Department of Professional Regulation  
 Attention: Jean Courtney  
 320 West Washington, 3rd Floor  
 Springfield, Illinois 62786  
 217/785-0800 Fax: 217/782-7645
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not-for-profit corporations? Yes, licensed professional counselors and licensed clinical professional counselors.
- 9) Other pertinent information concerning this rule (amendment, repealer):  
 None

## DEPARTMENT OF PROFESSIONAL REGULATION

## REGULATORY AGENDA

- 1) Heading of the Part: Public Accounting Act (Professional Conduct)
- 2) Code Citation: 68 Ill. Adm. Code 1430
- 3) A description of the rule(s): The Professional Conduct Rules are being rewritten due to Sunset Review of the Public Accounting Act.
- 4) Statutory Authority: 225 ILCS 450
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearing or meetings have been scheduled.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repeal) for publication in the Illinois Register: Unknown.
- 7) Information concerning this regulatory agenda shall be directed to:  
 Department of Professional Regulation  
 Attention: Jean Courtney  
 320 West Washington, 3rd Floor  
 Springfield, Illinois 62786  
 217/785-0800 Fax: 217/782-7645
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not-for-profit corporations? Yes, registered public accountants.
- 9) Other pertinent information concerning this rule (amendment, repealer):  
 None



## DEPARTMENT OF PROFESSIONAL REGULATION

## REGULATORY AGENDA

- 1) Heading of the Part: Real Estate Appraiser Certification
- 2) Code Citation: 68 Ill. Adm. Code 1455
- 3) A description of the amendment(s): The Real Estate Appraiser Certification rules will be modified to add renewal language for approved appraisal pre-licensure and continuing education courses, to require licensed appraisers who contributed to an appraiser report to sign the report and to update Uniform Standards of Professional Appraisal Practice (USPAP) standards.
- 4) Statutory Authority: 225 ILCS 455
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings meetings have been scheduled at this time.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repeal) for publication in the Illinois Register: January 1995
- 7) Information concerning this regulatory agenda shall be directed to:  
 Department of Professional Regulation  
 Attention: Jean Courtney  
 320 West Washington, 3rd Floor  
 Springfield, Illinois 62786  
 217/785-0800 Fax: 217/782-7645
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not-for-profit corporations? Yes, licensed real estate appraisers.
- 9) Other pertinent information concerning this rule (amendment, repealer):  
 None

## DEPARTMENT OF PROFESSIONAL REGULATION

## REGULATORY AGENDA

- 1) Heading of the Part: Real Estate License Act of 1983
- 2) Code Citation: 68 Ill. Adm. Code 1450
- 3) A description of the rule(s): Article IV of the Real Estate License Act will require various sections of the Real Estate License rules to be amended. Article IV deals with relationships between real estate brokers, salespersons and consumers. Also, a new section will be added regarding the composition and function of the Complaint Committee.
- 4) Statutory Authority: 225 ILCS 455
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings have been scheduled at this time.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repeal) for publication in the Illinois Register: Unknown.
- 7) Information concerning this regulatory agenda shall be directed to:  
 Department of Professional Regulation  
 Attention: Jean Courtney  
 320 West Washington, 3rd Floor  
 Springfield, Illinois 62786  
 217/785-0800 Fax: 217/782-7645
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not-for-profit corporations? Yes, real estate brokerage firms.
- 9) Other pertinent information concerning this rule (amendment, repealer):  
 None

## DEPARTMENT OF PROFESSIONAL REGULATION

## REGULATORY AGENDA

- 1) Heading of the Part: Rules of Practice in Administrative Hearings
- 2) Code Citation: 68 Ill. Adm. Code: 1110
- 3) A description of the rule(s): The administrative hearing rules are being rewritten in their entirety.
- 4) Statutory Authority: 5 ILCS 100
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings have been scheduled.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: Unknown.
- 7) Information concerning this regulatory agenda shall be directed to:  
 Department of Professional Regulation  
 Attention: Jean Courtney  
 320 West Washington, 3rd Floor  
 Springfield, Illinois 62786  
 217/785-0800 Fax: 217/782-7645
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not-for-profit corporations? No.
- 9) Other pertinent information concerning this rule (amendment, repealer): None

## DEPARTMENT OF PROFESSIONAL REGULATION

## REGULATORY AGENDA

- 1) Heading of the Part: The Illinois Nursing Act of 1987
- 2) Code Citation: 68 Ill. Adm. Code 1300
- 3) A description of the amendment(s): The nurse examination is now available on computer, and individuals may sit for the exam every 30 days; therefore, the Department will no longer be issuing 6 month work permits. Other application procedures will be modified. In Section 1300.30 individuals applying for licensure by endorsement who have graduated from non approved programs will not be required to take the CGFNS if certain conditions are met. Also, they will be required to submit an evaluation of nursing credentials. Section 1300.40, pertaining to program approval, will be modified. Other technical changes will be made.
- 4) Statutory Authority: 225 ILCS 65
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings have been scheduled at this time.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repealer) for publication in the Illinois Register: Unknown
- 7) Information concerning this regulatory agenda shall be directed to:  
 Department of Professional Regulation  
 Attention: Jean Courtney  
 320 West Washington, 3rd Floor  
 Springfield, Illinois 62786  
 217/785-0800 Fax: 217/782-7645
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not-for-profit corporations? Yes, registered professional nurses and licensed practical nurses.
- 9) Other pertinent information concerning this rule (amendment, repealer): None

## DEPARTMENT OF PROFESSIONAL REGULATION

## REGULATORY AGENDA

- 1) Heading of the Part: The Professional Engineering Practice Act of 1989
- 2) Code Citation: 68 Ill. Adm. Code 1380
- 3) A description of the rule(s): The professional engineering rules will be amended to add sections regarding the composition and function of the Design Complaint Committee and requirements for Design Firm registration.
- 4) Statutory Authority: 225 ILCS 325
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearings or meetings have been scheduled at this time.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repeal) for publication in the Illinois Register: Unknown
- 7) Information concerning this regulatory agenda shall be directed to:  
 Department of Professional Regulation  
 Attention: Jean Courtney  
 320 West Washington, 3rd Floor  
 Springfield, Illinois 62786  
 217/785-0800 Fax: 217/782-7645
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not-for-profit corporations? Yes, licensed professional engineers.
- 9) Other pertinent information concerning this rule (amendment, repealer):  
 None

## DEPARTMENT OF PROFESSIONAL REGULATION

## REGULATORY AGENDA

- 1) Heading of the Part: The Structural Engineering Licensing Act of 1989
- 2) Code Citation: 68 Ill. Adm. Code 1480
- 3) A description of the rule(s): The structural engineering rules will be amended to include sections regarding the composition and function of the Design Complaint Committee and requirements for Design Firm registration. Other sections may be amended relating to licensure qualifications, etc.
- 4) Statutory Authority: 225 ILCS 340
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearing or meeting dates have been scheduled at this time.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repeal) for publication in the Illinois Register: Unknown
- 7) Information concerning this regulatory agenda shall be directed to:  
 Department of Professional Regulation  
 Attention: Jean Courtney  
 320 West Washington, 3rd Floor  
 Springfield, Illinois 62786  
 217/785-0800 Fax: 217/782-7645
- 8) Will this rule (amendment, repealer) affect small business, small municipalities or not-for-profit corporations? Yes, licensed structural engineers.
- 9) Other pertinent information concerning this rule (amendment, repealer):  
 None.



## DEPARTMENT OF PROFESSIONAL REGULATION

## REGULATORY AGENDA

- 1) Heading of the Part: Veterinary Medicine and Surgery Practice Act of 1994
- 2) Code Citation: 68 Ill. Adm. Code 1500
- 3) A description of the rule(s): A new section will be added to the veterinary rules setting forth a program for impaired veterinarians.
- 4) Statutory Authority: 225 ILCS 115
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: No hearing or meeting dates have been scheduled at this time.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules (Amendments, Repeal) for publication in the Illinois Register: Unknown
- 7) Information concerning this regulatory agenda shall be directed to:  
 Department of Professional Regulation  
 Attention: Jean Courtney  
 320 West Washington, 3rd Floor  
 Springfield, Illinois 62786  
 217/785-0800 Fax: 217/782-7645
- 8) Will this rule (amendment, repeal) affect small business, small municipalities or not-for-profit corporations? No
- 9) Other pertinent information concerning this rule (amendment, repeal):  
 None

## TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

## REGULATORY AGENDA

- 1) Heading of the Part: The Administration and Operation of the Teachers' Retirement System
- 2) Code Citation: 80 Ill. Adm. Code 1650
- 3) A description of the rules: The Teachers' Retirement System ("System") is proposing amendments to several rules within Part 1650, which will clarify and explain the rules in greater detail. Other amendments include: the addition of rules defining normal cost, outlining procedures for correction of reporting errors, establishing procedures under the Freedom of Information Act, detailing rollover requirements, actuarial equivalents, termination of service, survivor benefits for eligible children, and reporting of conditional payments.
- 4) Statutory Authority: Implementing and authorized by Sections 16-106, 16-118, 16-121, 16-125, 16-133, 16-133.2, 16-133.3, 16-133.4, 16-133.5, 16-136, 16-149, 16-149.1, 16-149.2, 16-150, 16-153.2, 16-155, 16-168 and 16-192 of the Illinois Pension Code [40 ILCS 5/16-106, 16-118, 16-121, 16-125, 16-133, 16-133.2, 16-133.3, 16-133.4, 16-133.5, 16-136, 16-149, 16-149.1, 16-149.2, 16-150, 16-153.2, 16-155, 16-168 and 16-192], 5 ILCS 140/1.
- 5) Schedule of dates for hearings, meetings, or other opportunities for public participation: There is no proposed schedule of dates for hearings, etc. at this time.
- 6) Date agency anticipates submitting to the Index Department a Notice of Proposed Rules for publication in the Illinois Register: Between March and April, 1995.
- 7) Information concerning this regulatory agenda shall be directed to:  
 Wilma VanScyoc, General Counsel  
 Teachers' Retirement System  
 2815 West Washington, P.O. Box 19253  
 Springfield, Illinois 62794-9253  
 Telephone: (217) 753-0375
- 8) Will these rules affect small business, small municipalities or not for profit corporations? No.
- 9) Other pertinent information concerning these rules: None.

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## AGENDA

STRATTON OFFICE BUILDING  
ROOM D-1  
SPRINGFIELD, ILLINOIS  
10:00 A.M.  
JANUARY 10, 1995

NOTICES: Due to Register submittal deadlines, the Agenda below is incomplete. Other items not contained in this published Agenda are likely to be considered by the Committee at its January meeting.

It is the policy of the Committee to allow only representatives of state agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

Joint Committee on Administrative Rules  
700 Stratton Building  
Springfield, Illinois 62706

RULEMAKINGS SCHEDULED FOR JCAR REVIEW

The following rulemakings are scheduled for review at this meeting. JCAR staff may be proposing action with respect to some of these rulemakings. JCAR members may have questions concerning, and may initiate action with respect to, any item scheduled for JCAR review and any other issues within the Committee's purview.

PROPOSED RULEMAKINGSChildren and Family Services

Licensing Standards for Foster Family Homes (89 Ill Adm Code 402)  
-First Notice Published: 18 Ill Reg 8237 - 6/3/94  
-Expiration of Second Notice Period: 1/22/95

Department Advisory Council, Illinois Juvenile Justice Commission and Other Statewide and Regional Committees (89 Ill Adm Code 428)  
-First Notice Published: 18 Ill Reg 561 - 1/21/94  
-Expiration of Second Notice Period: 1/27/95

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## AGENDA

Commerce and Community Affairs

Local Tourism and Convention Bureau Program (14 Ill Adm Code 550)  
-First Notice Published: 18 Ill Reg 14189 - 9/16/94  
-Expiration of Second Notice Period: 1/21/95

Education

Health/Life Safety Code for Public Schools (23 Ill Adm Code 180)  
-First Notice Published: 18 Ill Reg 9671 - 7/1/94  
-Expiration of Second Notice Period: 1/13/95

Special Education (23 Ill Adm Code 226)

-First Notice Published: 18 Ill Reg 9810 - 7/1/94  
-Expiration of Second Notice Period: 1/27/95

Nonpublic Special Education Facilities (23 Ill Adm Code 401)

-First Notice Published: 18 Ill Reg 9756 - 7/1/94  
-Expiration of Second Notice Period: 1/13/95

Repeal of Nonpublic Special Education Facilities (23 Ill Adm Code 401)

-First Notice Published: 18 Ill Reg 9733 - 7/1/94  
-Expiration of Second Notice Period: 1/27/95

Environmental Protection Agency

Illinois Design Standards for Slow Rate Land Application of Treated Wastewater (35 Ill Adm Code 372)

-First Notice Published: 18 Ill Reg 4524 - 3/25/94  
-Expiration of Second Notice Period: 1/10/95

Health Care Cost Containment CouncilData Collection (77 Ill Adm Code 2510)

-First Notice Published: 18 Ill Reg 14533 - 9/30/94  
-Expiration of Second Notice Period: 2/3/95

Illinois Commerce Commission

Standards of Service for Electric Utilities (83 Ill Adm Code 410)  
-First Notice Published: 18 Ill Reg 14521 - 9/30/94  
-Expiration of Second Notice Period: 2/1/95

Lieutenant Governor

Illinois AmeriCorps Program (47 Ill Adm Code 610)  
-First Notice Published: 18 Ill Reg 15691 - 10/28/94

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## AGENDA

-Expiration of Second Notice Period: 1/26/95

Professional Regulation

Illinois Certified Shorthand Reporters Act of 1984 (68 Ill Adm Code 1200)

-First Notice Published: 18 Ill Reg 12103 - 8/12/94  
-Expiration of Second Notice Period: 1/20/95

Private Detective, Private Alarm and Private Security Act of 1983 (68 Ill Adm Code 1240)

-First Notice Published: 18 Ill Reg 14567 - 9/30/94  
-Expiration of Second Notice Period: 1/25/95

Public Aid

Rights and Responsibilities (89 Ill Adm Code 102)

-First Notice Published: 18 Ill Reg 14622 - 9/30/94  
-Expiration of Second Notice Period: 1/27/95

Practice in Administrative Hearings (89 Ill Adm Code 104)

-First Notice Published: 18 Ill Reg 12613 - 8/19/94  
-Expiration of Second Notice Period: 1/10/95

Practice in Administrative Hearings (89 Ill Adm Code 104)

-First Notice Published: 18 Ill Reg 14615 - 9/30/94  
-Expiration of Second Notice Period: 1/28/95

Aid to the Aged, Blind or Disabled (89 Ill Adm Code 113)

-First Notice Published: 18 Ill Reg 14281 - 9/23/94  
-Expiration of Second Notice Period: 2/4/95

Related Program Provisions (89 Ill Adm Code 117)

-First Notice Published: 18 Ill Reg 14303 - 9/23/94  
-Expiration of Second Notice Period: 1/15/95

Practice in Administrative Hearings (89 Ill Adm Code 104)

-First Notice Published: 18 Ill Reg 14872 - 10/7/94  
-Expiration of Second Notice Period: 1/25/94

Medical Payment (89 Ill Adm Code 140)

-First Notice Published: 18 Ill Reg 14851 - 10/7/94  
-Expiration of Second Notice Period: 1/28/95

Hospital Services (89 Ill Adm Code 148)

-First Notice Published: 18 Ill Reg 14600 - 9/30/94  
-Expiration of Second Notice Period: 1/19/95

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## AGENDA

Child Support Enforcement (89 Ill Adm Code 160)

-First Notice Published: 18 Ill Reg 12604 - 8/19/94  
-Expiration of Second Notice Period: 1/10/95

Revenue

Income Tax (86 Ill Adm Code 100)

-First Notice Published: 18 Ill Reg 14346 - 9/23/94  
-Expiration of Second Notice Period: 1/20/95

Income Tax (86 Ill Adm Code 100)

-First Notice Published: 18 Ill Reg 14878 - 10/7/94  
-Expiration of Second Notice Period: 1/20/95

Income Tax (86 Ill Adm Code 100)

-First Notice Published: 18 Ill Reg 15338 - 10/14/94  
-Expiration of Second Notice Period: 1/20/95

Motor Fuel Tax (86 Ill Adm Code 500)

-First Notice Published: 18 Ill Reg 14634 - 9/30/94  
-Expiration of Second Notice Period: 1/22/95

Uniform Penalty and Interest Act (86 Ill Reg 700)

-First Notice Published: 18 Ill Reg 9394 - 6/24/94  
-Expiration of Second Notice Period: 1/20/95

Secretary of State

Uniform Partnership Act (14 Ill Adm Code 165)

-First Notice Published: 18 Ill Reg 14686 - 9/30/94  
-Expiration of Second Notice Period: 1/13/95

Student Assistance Commission

Federal Family Education Loan Program (FFELP) (23 Ill Adm Code 2720)

-First Notice Published: 18 Ill Reg 15579 - 10/21/94  
-Expiration of Second Notice Period: 1/26/95

Transportation

Inspection Procedures for Type I School Buses (92 Ill Adm Code 441)

-First Notice Published: 18 Ill Reg 13855 - 9/9/94  
-Expiration of Second Notice Period: 1/14/95

Inspection Procedures for Type II School Buses (92 Ill Adm Code 443)

-First Notice Published: 18 Ill Reg 13965 - 9/9/94  
-Expiration of Second Notice Period: 1/14/95



## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## AGENDA

Inspection Procedures for Special Education School Buses (92 Ill Adm Code 445)

- First Notice Published: 18 Ill Reg 13835 - 9/9/94
- Expiration of Second Notice Period: 1/20/95

School Bus Brake Inspections (92 Ill Adm Code 447)

- First Notice Published: 18 Ill Reg 13367 - 9/2/94
- Expiration of Second Notice Period: 1/14/95

Administrative Requirements for Official Testing Stations (92 Ill Adm Code 451)

- First Notice Published: 18 Ill Reg 13729 - 9/9/94
- Expiration of Second Notice Period: 1/14/95

**Emergency and Peremptory Rulemakings**Employment Security

Claimant's Availability for Work, Ability to Work and Active Search for Work (56 Ill Adm Code 2865) (Emergency)

- Notice Published: 18 Ill Reg 17764 - 12/9/94

Nuclear Safety

Licensing Requirements for Source Material Milling Facilities (32 Ill Adm Code 332) (Emergency)

- Notice Published: 18 Ill Reg 17933 - 12/16/94

**Expedited Correction**Professional Regulation

Clinical Psychologist Licensing Act (68 Ill Adm Code 1400)

Public Aid

Aid to Families With Dependent Children (89 Ill Adm Code 112)

**Exempt Rulemakings**Pollution Control Board

Hazardous Waste Management System: General (35 Ill Adm Code 720)

- Proposed Date: 9/2/94
- Adopted Date: 12/9/94

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## AGENDA

Identification And Listing of Hazardous Waste (35 Ill Adm Code 721)

- Proposed Date: 9/2/94
- Adopted Date: 12/9/94

Interim Status Standards For Owners And Operators of Hazardous Waste Treatment, Storage And Disposal Facilities (35 Ill Adm Code 725)

- Proposed Date: 9/2/94
- Adopted Date: 12/9/94

Land Disposal Restrictions (35 Ill Adm Code 728)

- Proposed Date: 9/2/94
- Adopted Date: 12/9/94

Standards For Owners And Operators Of Hazardous Waste Treatment, Storage And Disposal Facilities (35 Ill Adm Code 724)

- Proposed Date: 9/2/94
- Adopted Date: 12/9/94

Standards For The Management Of Used Oil (35 Ill Adm Code 739)

- Proposed Date: 9/2/94
- Adopted Date: 12/9/94

UIC Permit Program (35 Ill Adm Code 704)

- Proposed Date: 9/2/94
- Adopted Date: 12/9/94

**Agency Response**Public Aid

Medical Payment (89 Ill Adm Code 140)

- First Published: 6/24/94
- Objection Date: 11/15/94
- Response: Refusal

Public Health

Repeal of the Illinois Formulary for the Drug Product Selection Program (77 Ill Adm Code 790)

- First Published: 3/11/94
- Prohibition Date: 9/13/94
- Response: Withdrawal

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## AGENDA

The Illinois Formulary for the Drug Product Selection Program (77 Ill Adm Code 790)

- First Published: 3/11/94
- Prohibition Date: 9/13/94
- Response: Withdrawal

Pollution Control Board

Mobile Sources (35 Ill Adm Code 240)

- First Published: 8/5/94
- Objection Date: 11/15/94
- Response: Refusal

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of December 20, through December 26, 1994, and have been scheduled for review by the Committee at its January 10, 1995 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield, IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>JCAR Meeting</u>
2/3/95	Illinois Health Care Cost Containment Council, Data Collection (77 Ill Adm Code 2510)	9/30/94 18 Ill Reg 14533	1/10/95
2/4/95	Department of Public Aid, Aid to the Aged, Blind or Disabled (89 Ill Adm Code 113)	9/23/94 18 Ill Reg 14281	1/10/95

## PROCLAMATIONS

94-672

## U. S. CONGRESS, STATE SENATORS AND REPRESENTATIVES

Whereas, On the 8th day of November, 1994, an election was held in the State of Illinois for the election of the following officers, to-wit:

Twenty (20) Representatives in Congress, to wit: One (1) Representative in Congress from each of the twenty (20) Congressional Districts of the State for the full term of two years.

Twenty (20) Senators, to wit: One (1) State Senator from the 2nd, 5th, 8th, 11th, 14th, 17th, 20th, 23rd, 26th, 29th, 32nd, 35th, 38th, 41st, 44th, 47th, 50th, 53rd, 56th and 59th Legislative District for the full term of four years; One (1) State Senator from the 46th Legislative District of the State for the unexpired term of two years.

One Hundred Eighteen (118) Representatives in the General Assembly, to wit: One (1) Representative from each of the one hundred eighteen (118) Representative Districts of the State for the full term of two years.

Whereas, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 28th day of November, 1994, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices.

REPRESENTATIVES TO REPRESENT THE PEOPLE OF THE STATE OF ILLINOIS  
IN THE 104TH CONGRESS OF THE UNITED STATES

## FIRST CONGRESSIONAL DISTRICT

Bobby L. Rush

## SECOND CONGRESSIONAL DISTRICT

Mel Reynolds

## THIRD CONGRESSIONAL DISTRICT

William O. Lipinski

## FOURTH CONGRESSIONAL DISTRICT

Luis V. Gutierrez

## FIFTH CONGRESSIONAL DISTRICT

Michael Patrick Flanagan

## SIXTH CONGRESSIONAL DISTRICT

Henry J. Hyde

## SEVENTH CONGRESSIONAL DISTRICT

Cardiss Collins

## EIGHTH CONGRESSIONAL DISTRICT

Philip M. Crane

## NINTH CONGRESSIONAL DISTRICT

Sidney R. Yates

## TENTH CONGRESSIONAL DISTRICT

John E. Porter

## ELEVENTH CONGRESSIONAL DISTRICT

Gerald C. "Jerry" Weller

## TWELFTH CONGRESSIONAL DISTRICT

Jerry F. Costello

## THIRTEENTH CONGRESSIONAL DISTRICT

Harris W. Fawell

## FOURTEENTH CONGRESSIONAL DISTRICT

J. Dennis Hastert

## FIFTEENTH CONGRESSIONAL DISTRICT

Thomas W. Ewing

## SIXTEENTH CONGRESSIONAL DISTRICT

Donald Manzullo

## SEVENTEENTH CONGRESSIONAL DISTRICT

Lane Evans

## EIGHTEENTH CONGRESSIONAL DISTRICT

Ray LaHood

## NINETEENTH CONGRESSIONAL DISTRICT

Glenn Poshard

## TWENTIETH CONGRESSIONAL DISTRICT

Richard J. Durbin

STATE SENATORS TO REPRESENT THE PEOPLE OF THE STATE OF ILLINOIS  
IN THE 89TH GENERAL ASSEMBLY OF THE STATE

## SECOND LEGISLATIVE DISTRICT

Miguel del Valle

## FIFTH LEGISLATIVE DISTRICT

Rickey R. Hendon

## EIGHTH LEGISLATIVE DISTRICT

Howard W. Carroll

## ELEVENTH LEGISLATIVE DISTRICT

Louis S. Viverito

## FOURTEENTH LEGISLATIVE DISTRICT

Emil Jones, Jr.

## SEVENTEENTH LEGISLATIVE DISTRICT



Bruce A. Farley

TWENTIETH LEGISLATIVE DISTRICT  
Beverly Fawell

TWENTY-THIRD LEGISLATIVE DISTRICT  
James "Pate" Philip

TWENTY-SIXTH LEGISLATIVE DISTRICT  
William E. Peterson

TWENTY-NINTH LEGISLATIVE DISTRICT  
Kathleen K. Parker

THIRTY-SECOND LEGISLATIVE DISTRICT  
Dick Klemm

THIRTY-FIFTH LEGISLATIVE DISTRICT  
J. Bradley Burzynski

THIRTY-EIGHTH LEGISLATIVE DISTRICT  
Patrick D. Welch

FORTY-FIRST LEGISLATIVE DISTRICT  
Kirk W. Dillard

FORTY-FOURTH LEGISLATIVE DISTRICT  
John W. Maitland, Jr.

FORTY-SIXTH LEGISLATIVE DISTRICT  
George P. Shadid

FORTY-SEVENTH LEGISLATIVE DISTRICT  
Carl E. Hawkinson

FIFTIETH LEGISLATIVE DISTRICT  
Karen Hasara

FIFTY-THIRD LEGISLATIVE DISTRICT  
Harry "Babe" Woodyard

FIFTY-SIXTH LEGISLATIVE DISTRICT  
Evelyn M. Bowles

FIFTY-NINTH LEGISLATIVE DISTRICT  
James F. "Jim" Rea

REPRESENTATIVES TO REPRESENT THE PEOPLE OF THE STATE OF ILLINOIS  
IN THE 89TH GENERAL ASSEMBLY OF THE STATE

FIRST REPRESENTATIVE DISTRICT  
Rafael "Ray" Frias

SECOND REPRESENTATIVE DISTRICT  
Benjamin A. "Ben" Martinez

THIRD REPRESENTATIVE DISTRICT  
Miguel A. Santiago

FOURTH REPRESENTATIVE DISTRICT  
Edgar Lopez

FIFTH REPRESENTATIVE DISTRICT  
Lovana S. "Lou" Jones

SIXTH REPRESENTATIVE DISTRICT  
Shirley M. Jones

SEVENTH REPRESENTATIVE DISTRICT  
Eugene "Gene" Moore

EIGHTH REPRESENTATIVE DISTRICT  
Calvin L. Giles

NINTH REPRESENTATIVE DISTRICT  
Arthur L. Turner

TENTH REPRESENTATIVE DISTRICT  
Coy Pugh

ELEVENTH REPRESENTATIVE DISTRICT  
Judy Erwin

TWELFTH REPRESENTATIVE DISTRICT  
Sara Feigenholtz

THIRTEENTH REPRESENTATIVE DISTRICT  
Ralph C. Capparelli

FOURTEENTH REPRESENTATIVE DISTRICT  
Roger P. McAuliffe

FIFTEENTH REPRESENTATIVE DISTRICT  
William J. Laurino

SIXTEENTH REPRESENTATIVE DISTRICT  
Louis I. Lang

SEVENTEENTH REPRESENTATIVE DISTRICT  
Carol Ronen

EIGHTEENTH REPRESENTATIVE DISTRICT  
Janice D. Schakowsky

NINETEENTH REPRESENTATIVE DISTRICT

Robert J. Bugielski  
TWENTIETH REPRESENTATIVE DISTRICT  
Joseph S. Kotlarz, Jr.  
TWENTY-FIRST REPRESENTATIVE DISTRICT  
Mary E. Flowers  
TWENTY-SECOND REPRESENTATIVE DISTRICT  
Michael J. Madigan  
TWENTY-THIRD REPRESENTATIVE DISTRICT  
Daniel J. Burke  
TWENTY-FOURTH REPRESENTATIVE DISTRICT  
Howard A. Kenner  
TWENTY-FIFTH REPRESENTATIVE DISTRICT  
Barbara Flynn Currie  
TWENTY-SIXTH REPRESENTATIVE DISTRICT  
Charles G. Morrow III  
TWENTY-SEVENTH REPRESENTATIVE DISTRICT  
Monique D. Davis  
TWENTY-EIGHTH REPRESENTATIVE DISTRICT  
Thomas J. Dart  
TWENTY-NINTH REPRESENTATIVE DISTRICT  
Arline M. Fantin  
THIRTIETH REPRESENTATIVE DISTRICT  
Harold Murphy  
THIRTY-FIRST REPRESENTATIVE DISTRICT  
Todd H. Stroger  
THIRTY-SECOND REPRESENTATIVE DISTRICT  
Constance A. "Connie" Howard  
THIRTY-THIRD REPRESENTATIVE DISTRICT  
Rod Blagojevich  
THIRTY-FOURTH REPRESENTATIVE DISTRICT  
Nancy Kaszak  
THIRTY-FIFTH REPRESENTATIVE DISTRICT  
Jack O'Connor  
THIRTY-SIXTH REPRESENTATIVE DISTRICT  
Maureen Murphy

THIRTY-SEVENTH REPRESENTATIVE DISTRICT  
Edward Joseph Zabrocki, Jr.  
THIRTY-EIGHTH REPRESENTATIVE DISTRICT  
Larry Wennlund  
THIRTY-NINTH REPRESENTATIVE DISTRICT  
Vincent A. Persico  
FORTIETH REPRESENTATIVE DISTRICT  
Peter Roskam  
FORTY-FIRST REPRESENTATIVE DISTRICT  
Mary Lou Cowlshaw  
FORTY-SECOND REPRESENTATIVE DISTRICT  
Suzanne L. Deuchler  
FORTY-THIRD REPRESENTATIVE DISTRICT  
Jack L. Kubik  
FORTY-FOURTH REPRESENTATIVE DISTRICT  
Thomas J. Walsh  
FORTY-FIFTH REPRESENTATIVE DISTRICT  
Kathleen L. "Kay" Wojcik  
FORTY-SIXTH REPRESENTATIVE DISTRICT  
Lee A. Daniels  
FORTY-SEVENTH REPRESENTATIVE DISTRICT  
Eileen Lyons  
FORTY-EIGHTH REPRESENTATIVE DISTRICT  
Anne Zickus  
FORTY-NINTH REPRESENTATIVE DISTRICT  
Carole Pankau  
FIFTIETH REPRESENTATIVE DISTRICT  
Thomas L. Johnson  
FIFTY-FIRST REPRESENTATIVE DISTRICT  
Verna L. Clayton  
FIFTY-SECOND REPRESENTATIVE DISTRICT  
Al Salvi  
FIFTY-THIRD REPRESENTATIVE DISTRICT  
Terry R. Parke  
FIFTY-FOURTH REPRESENTATIVE DISTRICT

Bernard E. Pedersen  
FIFTY-FIFTH REPRESENTATIVE DISTRICT  
Rosemary Mulligan  
FIFTY-SIXTH REPRESENTATIVE DISTRICT  
Carolyn H. Krause  
FIFTY-SEVENTH REPRESENTATIVE DISTRICT  
Kevin R. Hanrahan  
FIFTY-EIGHTH REPRESENTATIVE DISTRICT  
Jeffrey M. Schoenberg  
FIFTY-NINTH REPRESENTATIVE DISTRICT  
Thomas F. Lachner  
SIXTIETH REPRESENTATIVE DISTRICT  
Lauren Beth Gash  
SIXTY-FIRST REPRESENTATIVE DISTRICT  
Andrea S. Moore  
SIXTY-SECOND REPRESENTATIVE DISTRICT  
Robert W. Churchill  
SIXTY-THIRD REPRESENTATIVE DISTRICT  
Ann Hughes  
SIXTY-FOURTH REPRESENTATIVE DISTRICT  
Cal Skinner, Jr.  
SIXTY-FIFTH REPRESENTATIVE DISTRICT  
Patricia Reid Lindner  
SIXTY-SIXTH REPRESENTATIVE DISTRICT  
Douglas L. Hoeft  
SIXTY-SEVENTH REPRESENTATIVE DISTRICT  
Douglas P. Scott  
SIXTY-EIGHTH REPRESENTATIVE DISTRICT  
Ron Wait  
SIXTY-NINTH REPRESENTATIVE DISTRICT  
David Winters  
SEVENTIETH REPRESENTATIVE DISTRICT  
David A. Wirsing  
SEVENTY-FIRST REPRESENTATIVE DISTRICT  
Mike Boland

SEVENTY-SECOND REPRESENTATIVE DISTRICT  
Joel Brunsvold  
SEVENTY-THIRD REPRESENTATIVE DISTRICT  
Gerald L. "Jerry" Mitchell  
SEVENTY-FOURTH REPRESENTATIVE DISTRICT  
I. Ronald Lawfer  
SEVENTY-FIFTH REPRESENTATIVE DISTRICT  
Stephen Alan Spangler  
SEVENTY-SIXTH REPRESENTATIVE DISTRICT  
Frank J. Mautino  
SEVENTY-SEVENTH REPRESENTATIVE DISTRICT  
Angelo "Skip" Saviano  
SEVENTY-EIGHTH REPRESENTATIVE DISTRICT  
Bob Biggins  
SEVENTY-NINTH REPRESENTATIVE DISTRICT  
Bill W. Balthis  
EIGHTIETH REPRESENTATIVE DISTRICT  
Flora L. Ciarlo  
EIGHTY-FIRST REPRESENTATIVE DISTRICT  
Judy Biggert  
EIGHTY-SECOND REPRESENTATIVE DISTRICT  
James H. "Jim" Meyer  
EIGHTY-THIRD REPRESENTATIVE DISTRICT  
Brent Hassert  
EIGHTY-FOURTH REPRESENTATIVE DISTRICT  
Tom Cross  
EIGHTY-FIFTH REPRESENTATIVE DISTRICT  
John "Phil" Novak  
EIGHTY-SIXTH REPRESENTATIVE DISTRICT  
Jack McGuire  
EIGHTY-SEVENTH REPRESENTATIVE DISTRICT  
Dan Rutherford  
EIGHTY-EIGHTH REPRESENTATIVE DISTRICT  
Bill Brady  
EIGHTY-NINTH REPRESENTATIVE DISTRICT



Jay Ackerman

NINETIETH REPRESENTATIVE DISTRICT

John W. Turner

NINETY-FIRST REPRESENTATIVE DISTRICT

Michael K. Smith

NINETY-SECOND REPRESENTATIVE DISTRICT

Donald L. Saltsman

NINETY-THIRD REPRESENTATIVE DISTRICT

David R. Leitch

NINETY-FOURTH REPRESENTATIVE DISTRICT

Donald L. Moffitt

NINETY-FIFTH REPRESENTATIVE DISTRICT

Richard P. Myers

NINETY-SIXTH REPRESENTATIVE DISTRICT

Art Tenhouse

NINETY-SEVENTH REPRESENTATIVE DISTRICT

Tom Ryder

NINETY-EIGHTH REPRESENTATIVE DISTRICT

Gary Hannig

NINETY-NINTH REPRESENTATIVE DISTRICT

Raymond Poe

ONE HUNDREDTH REPRESENTATIVE DISTRICT

Gwenn Klingler

ONE HUNDRED AND FIRST REPRESENTATIVE DISTRICT

Julie A. Curry

ONE HUNDRED AND SECOND REPRESENTATIVE DISTRICT

N. Duane Noland

ONE HUNDRED AND THIRD REPRESENTATIVE DISTRICT

Richard J. (Rick) Winkler, Jr.

ONE HUNDRED AND FOURTH REPRESENTATIVE DISTRICT

Timothy V. Johnson

ONE HUNDRED AND FIFTH REPRESENTATIVE DISTRICT

William B. Black

ONE HUNDRED AND SIXTH REPRESENTATIVE DISTRICT

Michael "Mike" Weaver

ONE HUNDRED AND SEVENTH REPRESENTATIVE DISTRICT

John O. Jones

ONE HUNDRED AND EIGHTH REPRESENTATIVE DISTRICT

Charles A. "Chuck" Hartke

ONE HUNDRED AND NINTH REPRESENTATIVE DISTRICT

Kurt M. Granberg

ONE HUNDRED AND TENTH REPRESENTATIVE DISTRICT

Ron Stephens

ONE HUNDRED AND ELEVENTH REPRESENTATIVE DISTRICT

Steve Davis

ONE HUNDRED AND TWELFTH REPRESENTATIVE DISTRICT

Jay C. Hoffman

ONE HUNDRED AND THIRTEENTH REPRESENTATIVE DISTRICT

Thomas "Tom" Holbrook

ONE HUNDRED AND FOURTEENTH REPRESENTATIVE DISTRICT

Wyvetter H. Younge

ONE HUNDRED AND FIFTEENTH REPRESENTATIVE DISTRICT

Mike Bost

ONE HUNDRED AND SIXTEENTH REPRESENTATIVE DISTRICT

Terry W. Deering

ONE HUNDRED AND SEVENTEENTH REPRESENTATIVE DISTRICT

Larry Woolard

ONE HUNDRED AND EIGHTEENTH REPRESENTATIVE DISTRICT

David D. Phelps

Now, Therefore, I, Jim Edgar, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices set out above.

Issued by the Governor November 29, 1994.

Filed with the Secretary of State December 8, 1994.

94-673

# STATE OFFICERS AND U OF I TRUSTEES

Whereas, On the 8th day of November, 1994, an election was held in the State of Illinois for the election of the following officers, to wit:

One (1) Governor for the full term of four years.

One (1) Lieutenant Governor for the full term of four years.

One (1) Attorney General for the full term of four years.

One (1) Secretary of State for the full term of four years.

One (1) Comptroller for the full term of four years.

One (1) Treasurer for the full term of four years.

Three (3) Trustees of the University of Illinois for the full term of six years.

Whereas, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 28th day of November, 1994, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices:

GOVERNOR  
Jim Edgar

LIEUTENANT GOVERNOR  
Bob Kustra

ATTORNEY GENERAL  
Jim Ryan

SECRETARY OF STATE  
George H. Ryan

COMPTROLLER  
Loleta A. Didrickson

TREASURER  
Judy Baar Topinka

#### TRUSTEES OF THE UNIVERSITY OF ILLINOIS

Judith Reese  
William D. (Bill) Engelbrecht  
Martha R. O'Malley

Now, Therefore, I, Jim Edgar, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

Issued by the Governor November 29, 1994.

Filed with the Secretary of State December 8, 1994.

94-674

#### PROPOSED AMENDMENT TO SECTION 8 OF ARTICLE I

Whereas, On the 8th day of November, 1994, an election was held in the State of Illinois at which time a Proposed Amendment to Section 8 of Article I of the Constitution (Bill of Rights) was submitted, and

Whereas, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 28th day of November, 1994, canvass the same, and as a result of such canvass, did declare that the same having received either three-fifths of those voting on the question or a majority of those voting in the election is therefore adopted.

Now, Therefore, I, Jim Edgar, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing Proposed Amendment is adopted.

Issued by the Governor November 29, 1994.

Filed with the Secretary of State December 8, 1994.

94-675

#### BREMEN YOUTH COMMITTEE DAY

Whereas, in 1964, State Representative Don Moore sponsored and passed a bill to establish and fund Township Youth Committees to prevent and combat juvenile delinquency; and

Whereas, Bremen Township was the first Youth Committee established under this new law; and

Whereas, Father Gale White of St. Christopher's Church provided all youth services for the first year; and

Whereas, in its 30-year history, the Bremen Youth Committee has worked with thousands of families and children. It offers family, group and individual counseling, crisis intervention, consultation with area schools and police, psychological and psychiatric back-up, and summer recreational programs;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim December 2, 1994, as BREMAN YOUTH COMMITTEE DAY in Illinois in honor of its 30th anniversary.

Issued by the Governor December 1, 1994.

Filed with the Secretary of State December 8, 1994.

94-676

#### COMPASSIONATE FRIENDS WEEK

Whereas, the Compassionate Friends, is an international mutual assistance and self-help organization offering support and understanding to bereaved parents and siblings; and

Whereas, the organization was founded in Conventry, England, in 1969 and the first chapter in the United States was organized in 1972; and

Whereas, in Illinois there are 28 Compassionate Friends chapters throughout the state; and

Whereas, on December 10, 1994, the Springfield chapter will hold its annual Candlelight Memorial Service; and

Whereas, more than 200 parents, siblings, family members and friends will gather to remember their children who have gone on, but not been forgotten;

Therefore, I, Jim Edgar, Governor of the State of Illinois proclaim December 10-17, 1994, as COMPASSIONATE FRIENDS WEEK in Illinois and urge all churches to ring their bells in memory of the children on December 10, 1994, from noon to 12:10.

Issued by the Governor December 1, 1994.

Filed with the Secretary of State December 8, 1994.

94-677

#### PEARL HARBOR REMEMBRANCE DAY

Whereas, on December 7, 1941, the Imperial Japanese Navy and Air Force

attacked units of the Armed Forces of the United States stationed as Pearl Harbor, Hawaii; and  
 Whereas, more than 2,000 citizens of the United States were killed and more than 1,000 citizens of the United States were wounded in the attack on Pearl Harbor; and  
 Whereas, the attack on Pearl Harbor marked the entry of the United States of American into World War II; and

Whereas, the veterans of World War II and all other people of the United States commemorate December 7 in remembrance of the attack on Pearl Harbor; and  
 Whereas, commemoration of the attack on Pearl Harbor will instill in all people of the United States a greater understanding and appreciation of the selfless sacrifice of the individuals who served in the Armed Forces of the United States during World War II;

Therefore, I, Jim Edgar, Governor of the State of Illinois proclaim December 7, 1994, as PEARL HARBOR REMEMBRANCE DAY in Illinois and call upon the people of our state to observe this solemn occasion with appropriate ceremonies.

Issued by the Governor December 1, 1994.

Filed with the Secretary of State December 8, 1994.

#### 94-678

##### CHICAGOLAND HILTON HOTELS SALUTES DCFS CHILDREN DAY

Whereas, the Department of Children and Family Services (DCFS) is an agency of the State of Illinois whose mission is to assist families and children in times of need; and

Whereas, DCFS works tirelessly to protect and nurture the emotional, physical, and spiritual well-being of the children it assists; and

Whereas, Hilton Hotels of the Chicagoland area -- including the Palmer House Hilton, the Chicago Hilton & Towers, the Oak Lawn Hilton, the O'Hare Hilton, the North Shore Hilton, the North Brook Hilton, the Arlington Hilton, the Lisle-Naperville Hilton, the Oakbrook Terrace Hilton Suites, and Buffalo Grove Hilton Garden Inn -- are graciously hosting Christmas parties of DCFS children and their foster families on Sunday, December 18, 1994;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim December 18, 1994, as CHICAGOLAND HILTON HOTELS SALUTES DCFS CHILDREN DAY in Illinois and urge all citizens to be cognizant of their efforts and its importance to the DCFS children of Illinois.

Issued by the Governor December 5, 1994.

Filed with the Secretary of State December 8, 1994.

#### 94-679

##### JACK C. COSTELLO DAY

Whereas, Jack C. Costello has dedicated 33 years of service to the health and human services filed as the President and Chief Professional Officer of the United Way Services in Cleveland, Ohio; and

Whereas, the United Way will hold a reception in his honor on December 8, 1994; and

Whereas, Jack has served as the Chief Professional Officer in Cleveland since February 1987; and

Whereas, during his 33 years of committed service to his field, he has

achieved many goals in reaching out to the needy in several communities across the country; and

Whereas, Jack has served the United Way in several areas of the United States including the Chicago area; and

Whereas, his local civic and philanthropic involvement goes beyond United Way Service on both the national and local level;

Therefore, I, Jim Edgar, Governor of the State of Illinois proclaim December 8, 1994 as JACK C. COSTELLO DAY in Illinois in recognition of his 33 years of dedication to the United Way.

Issued by the Governor December 5, 1994.

Filed with the Secretary of State December 8, 1994.

#### 94-680

##### MARSHALL FIELD'S DAY

Whereas, today marks the Jingle Elves Holiday Celebration hosted by Marshall Field's in the City of Chicago; and

Whereas, Marshall Field's is one of the premier department stores in the State of Illinois, operating a distribution center and 15 department stores statewide, creating thousands of Illinois jobs; and

Whereas, Marshall Field's has continued to demonstrate its commitment to our state through its on-going community, giving programs, Communities Count with Marshall Field's, which included giving thousands of P.J. Huggabee Teddy Bears to DCFS children around the state; and

Whereas, as part of the department store division of Dayton Hudson Corporation, Marshall Field's is a role model for involved corporate citizenship by budgeting five percent of corporate federally taxable income to support non-profit arts and job-training programs for youth;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim, December 14, 1994, as MARSHALL FIELD'S DAY in Illinois and am honored to lead the citizens of Illinois in the Holiday Celebration.

Issued by the Governor December 5, 1994.

Filed with the Secretary of State December 8, 1994.

#### 94-681

##### ELMHURST CLEANERS DAY

Whereas, Elmhurst Cleaners was established 25 years ago, in 1969, as a small drycleaning establishment by Norb and Cele Mack and Jerry Lewicki, and

Whereas, in the past 25 years it has grown into one of the oldest and most respected family-owned and operated drycleaners in the Chicagoland area; and

Whereas, Elmhurst Cleaners not only offers a full-service, on-site, state-of-the-art dry cleaning plant but has also developed a very successful fire restoration specialty; and

Whereas, Elmhurst Cleaners has been an active participant in community service by sponsoring youth baseball and other worthwhile civic endeavors; and

Whereas, Elmhurst Cleaners participated in the State of Illinois Earnfare Program by helping people develop job skills and move from the welfare rolls to skilled jobs; and

Whereas, Elmhurst Cleaners has come to epitomize the spirit, hard work, and pride of Illinois entrepreneurship and small business;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim



December 17, 1994 as ELMHURST CLEANERS DAY in Illinois and offer sincere congratulations on its 25th anniversary.

Issued by the Governor December 6, 1994.

Filed with the Secretary of State December 8, 1994.

#### 94-682

##### JAMAICAN INDEPENDENCE DAY

Whereas, on August 5, 1962, Jamaica declared itself a free and independent country; and

Whereas, Jamaica is noted for its friendly people and its lovely scenery; and

Whereas, Jamaica has championed for the rights of workers by fighting for fair pay and good, healthy working conditions; and

Whereas, Jamaican immigrants to the State of Illinois have proven to be very resourceful and successful; and

Whereas, Jamaica has a very high literacy rate and an excellent education system; and

Whereas, Jamaica takes a keen interest in the environment and demonstrates this by playing an active roll in all international negotiations on the environment; and

Whereas, Americans of Jamaican descent and other residing in Illinois will be commemorating the anniversary of Jamaica's Declaration of Independence;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 6, 1995, as JAMAICAN INDEPENDENCE DAY in Illinois and urge all citizens to join in the observance.

Issued by the Governor December 6, 1994.

Filed with the Secretary of State December 8, 1994.

#### 94-683

##### LIFELINK DAY

Whereas, Lifelink/Bensenville Home Society will celebrate its 100th year of helping both children and families and the aging in 1995; and

Whereas, Lifelink/Bensenville Home Society is a not-for-profit charitable organization serving thousands of individuals of all ages through a network of adoption, foster care, counseling, health care, Head Start, and housing for senior citizens and physically challenged adults; and

Whereas, associated with the United Church of Christ, Lifelink's mission is to meet the spiritual, physical, social, and emotional needs of children, families, and the aging by offering professionally effective health and human services; and

Whereas, by endlessly contributing to the welfare of our society, Lifelink/Bensenville provides information and referral assistance in the areas of maternity services, senior dining centers, and management counseling; and

Whereas, Lifelink's corporate offices are located in Bensenville, Illinois, with additional sites throughout Illinois, Missouri, and Florida; and Whereas, over the last five years, Lifelink has provided an average of more than \$2 million annually in charitable services and has helped some 13,000 people in need during the past year; and

Whereas, on January 22, 1995, Lifelink/Bensenville Home Society's residents, clients, family, and friends will gather for a simultaneous birthday

celebration at Lifelink sites, churches throughout Illinois, and agencies in the Philippines, South Korea, Hong Kong, and China who help find loving Illinois families for homeless children;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim January 22, 1995, as LIFELINK DAY in Illinois in recognition of their centennial jubilee.

Issued by the Governor December 6, 1994.

Filed with the Secretary of State December 8, 1994.

#### 94-684

##### SNOWMOBILE SAFETY AWARENESS WEEK

Whereas, the family sport of snowmobiling is enjoyed by more than 100,000 men, women, and children in Illinois; and

Whereas, snowmobiling represents a facet within Illinois' winter tourism industry contributing to the state's economy with 58,500 registered snowmobiles; and

Whereas, thousands of dedicated snowmobile club members volunteer their efforts each year to maintain the 1,500 miles of snowmobile trails enjoyed by many diverse winter recreationists, including cross-country skiers, mushers, and snowmobile enthusiasts; and

Whereas, the Illinois Association of Snowmobile Clubs and the Illinois Department of Conservation have joined together to educate the snowmobiling public as to the safe and responsible snowmobiling for 19 years; and

Whereas, more than 22,000 citizens of the state have successfully completed the Snowmobile Safety Education Program taught by volunteer instructors and the Illinois Department of Conservation staff; and

Whereas, employing responsible riding practices, such as avoiding alcohol and operating at safe speeds, make Illinois' snowmobiling experience safe and enjoyable;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim December 11-17, 1994, as SNOWMOBILE SAFETY AWARENESS WEEK in Illinois, and in the interest of safe and enjoyable snowmobiling encourage all snowmobilers to take advantage of Snowmobile Safety Education Programs, and through their actions and example they provide, preserve and enhance the family sport of snowmobiling.

Issued by the Governor December 6, 1994.

Filed with the Secretary of State December 8, 1994.

#### 94-685

##### ALL-CITY ELEMENTARY YOUTH CHORUS OF CHICAGO DAY

Whereas, the All-City Youth Chorus of Chicago has been invited to represent the State of Illinois in 1994 International Advent Singing Celebration in Vienna, Austria, beginning on December 15, 1994; and

Whereas, the All-City Elementary Youth Chorus was founded in November 1982 by Josephine Poelinitz as part of the All-City Performing Groups of the Chicago Public Schools; and

Whereas, its major purpose is to provide additional training and experience for talented students, as well as to inspire and promote interest in music among elementary school children; and

Whereas, the 200-voice chorus consists of students in grades 4-8,



representing the racial and ethnic diversity of the Chicago Public Schools; and Whereas, the chorus' repertoire includes folk, classical, spirituals, gospel arrangements, and contemporary literature; and Whereas, the chorus was invited by the Vienna Department of Cultural Affairs and the Vienna Tourist Board which is a significant recognition of the Chicago Public Elementary Schools' All-City Chorus;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim December 15, 1994, as ALL-CITY ELEMENTARY YOUTH CHORUS OF CHICAGO DAY in Illinois.

Issued by the Governor December 7, 1994.

Filed with the Secretary of State December 8, 1994.

#### 94-686

#### LEAGUE OF WOMEN VOTERS DAY

Whereas, the League of Women Voters of Illinois will be celebrating its 75th anniversary in 1995; and

Whereas, on February 14, 1920, when the leaders of the National American Woman Suffrage Association (NAWSA) met in Chicago to celebrate the imminent ratification of the 19th Amendment to the Constitution, they approved the formation of a new organization called "League of Women Voters" to help American women exercise their new political rights and responsibilities; and

Whereas, the formation of Leagues at the state and local level soon followed and the League of Women Voters of Illinois was among the first to be founded in October 1920; and

Whereas, the League of Women Voters is a non-partisan, political organization whose basic goals have remained the same throughout the years as its members work to shape public policy through education and advocacy and promote informed citizen participation at all levels of government; and

Whereas, throughout the years the League has worked on many different issues and has been an important contributor to an impressive range of efforts to improve the Constitution and laws of this state; and

Whereas, in recent years the League has focused on fiscal policy issues such as serving as co-chair of CARE of Illinois, an organization which successfully made permanent the temporary income tax increase of three percent; organizing Progress Illinois, a coalition established to secure the passage of a constitutional amendment allowing Illinois to have a graduated income tax; and drafting legislation on household hazardous waste which passed the House and made legislators aware of the need for the careful disposal of such waste; and

Whereas, in addition to the League's actions in Illinois, it has successfully made Children-at-Risk a priority for the League of Women Voters of the United States, ensuring that the network of state and local Leagues through the nation will focus on this critical issue;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 14, 1995, as LEAGUE OF WOMEN VOTERS DAY in Illinois.

Issued by the Governor December 7, 1994.

Filed with the Secretary of State December 8, 1994.

ACTION CODES	
A - Adopted Rule	P - Proposed Rule
AR - Adopted Repealer	PF - Prohibited Filing Order by JCAR*
C - Notice of Corrections	PP - Peremptory or Court Ordered Rules
CC - Codification Changes	PR - Proposed Repealer
E - Emergency Rule	R - Refusal to meet JCAR* Objection
ER - Emergency Repealer	RC - Statement of Recommendation
M - Modification to meet JCAR*	S - Suspension ordered by JCAR*
Objections	W - Withdrawal to meet JCAR*
O - JCAR* Statement Of Objections	Objections
RQ - Request for Correction	MR - Modification and Refusal
EC - Expedited Corrections	
*Joint Committee on Administrative Rules	

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-7017.

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TYPE OF RULE MAKING		ACTION CODE	
am = amend to existing Section		A = Adopted Rule	PF = Prohibited Filing
cc = codification changes		E = Emergency	S = Suspension
n = New section		P = Proposed Rule	O = JCAR Objection
r = repeal of existing Section		PP = Peremptory	F = Failure to Remedy Objections
re = recodified		M = Modification	Objection
# = renumbered		W = Withdrawal	RC = Recommendations
		CC = Codification Changes	EC = Expedited Correction
		RQ = Request for Correction	C = Correction
		R = Refusal	

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